This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

CP
New

New

CP

THE RECORDS OF ELGIN

Only 525 Copies printed.

No. 350

Armorial Ensigns of Elgin.

His Majesty's Printers, Aberdeen

✓ New Cruising club. Aberdeen, Scot.

New Spalding club, Aberdeen, Scot.
[Publications. no. 87]
A.F.

The Records of Elgin

1234—1800

COMPILED BY

WILLIAM CRAMOND, M.A., LL.D., F.S.A. SCOT.

VOLUME FIRST

ABERDEEN
Printed for the New Spalding Club
MCMIII

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS
B 1904 L

PRINTED BY
MILNE AND HUTCHISON
ABERDEEN

The New Spalding Club.

Founded 11th November, 1886.

Patron:

HIS MAJESTY THE KING.

OFFICE BEARERS FOR 1902-03.

President:

THE EARL OF ABERDEEN, G.C.M.G., LL.D.

Vice-Presidents:

THE DUKE OF RICHMOND AND GORDON, K.G., deceased.
THE DUKE OF FIFE, K.T., G.C.V.O.
THE MARQUIS OF HUNTLY, LL.D.
THE EARL OF ERROLL, K.T., C.B., LL.D.
THE EARL OF STRATHMORE.
THE EARL OF SOUTHESK, K.T., LL.D.
THE EARL OF KINTORE, G.C.M.G., LL.D.
THE EARL OF ROSEBERY, K.G., K.T., LL.D.
THE LORD FORBES.
THE LORD SALTOUN.
RT. HON. J. A. CAMPBELL of Stracathro, M.P., LL.D.
THE LORD PROVOST OF ABERDEEN.
SIR JOHN F. CLARK, of Tillypronie, Bart., LL.D.
SIR GEORGE REID, R.S.A., LL.D.
*COLONEL JAMES ALLARDYCE of Culquoich, LL.D.
*WILLIAM FERGUSON of Kinmundy, LL.D.
EMERITUS PROFESSOR DAVID MASSON, LL.D.

Ordinary Members of Council:

W. Bruce Bannerman, Croydon.
*John Bulloch, Aberdeen.
Sir Thomas Burnett, of Leys, Bart.
The Right Rev. Bishop Chisholm, D.D., LL.D., Aberdeen.
The Rev. Professor James Cooper, D.D., Glasgow.
*Patrick Cooper, Advocate, Aberdeen.
*William Cramond, LL.D., Cullen.
Peter M. Cran, City Chamberlain, Aberdeen.
Professor W. L. Davidson, LL.D., Aberdeen.
William Dunn of Murtle.
John Philip Edmond, Haigh.
James Ferguson, Sheriff of Argyll.
*Alexander Forbes, Aberdeen.
Alexander M. Gordon of Newton.
Henry Wolrige-Gordon of Esslemont.
John A. Henderson, Cults.
Sir William Henderson, LL.D., Aberdeen.
Colonel Thomas Innes of Learney, C.V.O., LL.D.
*Colonel W. Johnston of Newton Dee, C.B., M.D.
J. F. Kellas Johnstone, London.
The Rev. William Forbes Leith, S.J., Boscombe.
*David Littlejohn, LL.D., Sheriff-Clerk, Aberdeen.
*Peter Duguid-M'Combie of Easter Skene.
*The Rev. John G. Michie, Dinnet.
*Alexander M. Munro, Aberdeen.
Robert S. Rait, Oxford.
Alexander Ramsay, LL.D., Banff.
*Alexander W. Robertson, Banchory.
John Forbes Robertson, deceased.
*The Rev. James Smith, B.D., Aberdeen.
Sir David Stewart of Banchory, LL.D.
*Professor C. Sanford Terry, Aberdeen.
**Alexander Walker, LL.D., deceased.*
*George Walker, Aberdeen.
Robert Walker, University of Aberdeen.
John Forbes White, LL.D., Dundee.
*John Dove Wilson, LL.D., Aberdeen.
Robert M. Wilson of Tarty, M.D.

Secretary:

*PETER JOHN ANDERSON, University Library, Aberdeen.

Treasurer:

*FARQUHARSON TAYLOR GARDEN, 18 Golden Square, Aberdeen.

Auditors:

WILLIAM MILNE, C.A., Aberdeen; ANDREW DAVIDSON, C.A., Aberdeen.

* *Members of Executive Committee.*

PREFACE.

THE present work aims at giving an accurate and exhaustive record, so far as can now be obtained from original sources, of events as they occurred in the life of a northern Scottish burgh. Certain portions of the ground have been covered by previous writers. The present writer has surveyed the whole field. Every charter, Sasine book, Court and Council book and all the papers in the burgh "Cadget" have been perused. The Kirk Session Minutes, which commence in 1584, and are believed to be the most complete now existing in Scotland, the records of the Presbytery of Elgin, the Scottish Record publications, numerous MSS. in the Register House and the Advocates' Library, Edinburgh, and the contents of the University Library, Aberdeen, have also proved of much service.

In the Introduction, which will appear in the next volume, the various points of special interest in the history of the burgh will be referred to in detail, with a note of all to whom the compiler's obligations are due. Meantime it is a very pleasing duty to record that the Town Council, the Kirk Session, and the Presbytery of Elgin, and all public bodies that have been appealed to, have placed unreservedly at the service of the compiler all they possessed bearing on the past history of Elgin.

The Club has also to express its gratitude to George A. Cooper, Esq., of Hursley Park, Hants., and The College, Elgin, for his very handsome donation towards the better illustration of this volume; and to Sir James Balfour Paul, Lyon King of Arms, for supplying the authentic emblazonment of the Burgh arms.

W. C.

CULLEN, *16th September, 1903.*

CONTENTS OF VOLUME FIRST.

Pre-Reformation.

	Page
Early Grants and Charters	3
The Bishopric of Moray	4
Elgin, a Cathedral City	6
Visits of Early Scottish Kings to Elgin	6
Charter of Alexander II. to the Burgesses	7
Edward I. in Elgin	8
Charter of the Earldom of Moray	11
The Miraculous Cure of John Balormy	12
The Burgh Seal	16
The Bishops of Moray and the Port of Spynie	16
The "Wolf of Badenoch" burns the Cathedral	17
An old Charter in the Vernacular	19
The Town burned for the third time	20
Representation in Parliament	21
Extracts from the Lord High Treasurer's Accounts	21
Letter of Protection by Queen Mary, 1555	25
"Act anent Maisterfull Beggars," 1537	26
The Town of Elgin *v.* Alexander Dunbar, Sheriff, 1540 ...	27
Extracts from Pitcairn's "Criminal Trials"	28
1365—1560.	
References to Elgin in the Exchequer Rolls of Scotland ...	32
1306—1560.	
References to Elgin in the Register of the Great Seal	41
1540—1803.	
Extracts from the Burgh Court Book	47
1549—1630.	
References to Elgin in the Register of the Privy Council ...	213
1565—1649.	
References to Elgin in the Register of the Great Seal	245
1636—1800.	
Extracts from Minutes of Town Council	253

ILLUSTRATIONS OF VOLUME FIRST.

Armorial Bearings of Elgin, from an emblazonment supplied by the Lyon King of Arms ... ... *Frontispiece.*

PAGE

Charter, Alexander II. to the Guildry of Elgin, 1234 8

Charter, David II. to the Preaching Friars of Elgin, 1357 ... 16

Charter, Thomas, Earl of Moray, to the Burgh of Elgin, 1393 ... 20

Charter, John, Earl of Moray, to the Burgh of Elgin, 1390 ... 40

Charter, Thomas, Earl of Moray, to the Guildry of Elgin, 1396 ... 80

Charter, Thomas, Earl of Moray, to the Burgh of Elgin, 1396 ... 104

Map, Neighbourhood of Elgin, from Blaeu's *Atlas*, 1662 ... 136

Map, Town of Elgin, from John Wood's plan, 1822 168

Map, Grieshop Lands of Elgin, from original sketch, 1800 ... 200

Shields built into Elgin houses, 1576 and 1634 212

Order Pot, from Rhind's *Elgin*, 1839 232

Shield at Greyfriars 244

Map of Linkwood, from original sketch, circa 1768 264

Map of Maisondieu Lands, from original plan, circa 1830 ... 276

Map of Minister's Glebe, from Peter May's plan, 1769 312

Pans Port, from Rhind's *Elgin* 344

The Prospect of the Town of Elgin, from Slezer's *Theatrum Scotiæ*, 1693 352

Elgin Jail, from Rhind's *Elgin* 368

Map, Moss and Lands of Mosstowie, from original plan, 1762... 384

The Little Cross, from Rhind's *Elgin* 416

St. Giles, East and West views, from Rhind's *Elgin* 448

Elgin Street Architecture, from Billings' *Antiquities* (1845-52)... 504

ELGIN IN PRE-REFORMATION TIMES.

EARLY GRANTS AND CHARTERS.—THE BISHOPRIC OF MORAY.—ELGIN, A CATHEDRAL CITY.—VISITS OF EARLY SCOTTISH KINGS TO ELGIN.—CHARTER OF ALEXANDER II. TO THE BURGESSES.—EDWARD I. IN ELGIN.—CHARTER OF THE EARLDOM OF MORAY.—THE MIRACULOUS CURE OF JOHN BALORMY.—THE BURGH SEAL.—THE BISHOPS OF MORAY AND THE PORT OF SPYNIE.—THE "WOLF OF BADENOCH" BURNS THE CATHEDRAL.—AN OLD CHARTER IN THE VERNACULAR.—THE TOWN BURNED FOR THE THIRD TIME.—REPRESENTATION IN PARLIAMENT.—EXTRACTS FROM THE LORD HIGH TREASURER'S ACCOUNTS.—REFERENCES TO ELGIN IN THE "EXCHEQUER ROLLS" AND THE "REGISTER OF THE GREAT SEAL."

ELGIN IN PRE-REFORMATION TIMES.

THE early history of the burgh of Elgin, as of many another burgh in Scotland, is shrouded in a dark cloud of obscurity. With the advent of charters, however, in the eleventh and twelfth centuries, a guiding light, ever increasing in brightness as the centuries roll on, begins to appear. As we feel ourselves walking on very uncertain ground we hastily pass over the Romans in the north of Scotland, the arrival of the followers of Columba in the sixth century or thereby offering the blessings of Christianity, the condition of the people under the Pictish kings from the fifth to the middle of the ninth century, the explication of the flint and bronze implements, the urns and the sculptured stones, all of which are found abundantly in the district, and thereafter we hail with satisfaction the first clear reference to the burgh. It is a grant of twenty shillings annually from "my burgh and waters of Elgin," by David, King of Scots (1124-1153), to the monks of Urquhart for their vestments, and is thus recorded in the *Registrum de Dunfermelyn* (p. 18):

De xx . solidis de Elgin.

Dauid Rex Scotorum . episcopis . abbatibus . Comitibus . Baronibus . Vicecomitibus . prepositis . et omnibus probis hominibus tocius muref et Scocie Salutem. Sciatis me in perpetuum dedisse deo et monachis de Vrchard ibi deo famulantibus dum deuote et religiose se continuerint . xx . solidos . singulis annis ad vestimenta eorum de firma burgi mei et aquarum de Elgin . Quare precipio quod prepositus eiusdem burgi eis illos denarios sine omni disturbacione faciat haberi. Testibus . Herbert camerario . et Alwino filio archil. Apud Banef.

From the charters of David I. to Dunfermline, and other documents of his reign, it appears that "the free hanse" or privilege of trade and

association of the northern burghs of Aberdeen, Banff, Elgin, Forres, Nairn and Inverness, existed prior to 1124.

King William the Lion confirmed the protection thus granted, as the following charter * shows :—

Willelmus dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue Salutem. Sciant presentes et futuri me concessisse et hac carta mea confirmasse burgensibus meis de Aberdoen et omnibus burgensibus de Moravia et omnibus burgensibus meis ex aquilonali parte de Muneh manentibus liberum ansum suum tenendum ubi voluerint et quando voluerint ita libere et quiete plenarie et honorifice sicut antecessores eorum tempore Regis David aui mei ansum suum liberius et honorificentius habuerunt . Quare prohibeo firmiter ne quis eos inde vexet aut disturbet super meam plenariam forisfacturam. Testibus Andrea Episcopo de Katenes . Comite Dunecano Justiciario . Gilleberto comite de Stradhern. Comite G. de Anegus . Ricardo de Moreuill constabulario . Waltero de Berkelei camerario . G. de Maleuill . Hugone Giffard . Malisio fratre Comitis de Stradhern . Apud Pert.

In the early part of his reign David had to contend with a formidable rebellion in Moray. This he successfully crushed, but the spirit of the men of Moray was not easily subdued, and they again caused trouble to his successors, Malcolm and William and Alexander II. This rebellion over, David seized the land that belonged to his rebellious subjects and portioned it out to strangers from the south—Normans, Saxons and Flemings.

The bishopric of Moray was founded probably in the reign of Alexander I., but it was not till the reign of David I. that dioceses and parishes, as we understand the terms, came into use. David gave a signal instance of his munificence to the church by founding the Abbey of Kinloss, establishing there a colony of Cistercians from Melrose. To further, no doubt, the civilization of the district, he also founded the Priory of Urquhart, a cell of the Benedictine Abbey of Dunfermline.

William the Lion (1165-1214) granted a charter,† "apud Elgin," to Gaufridus Blundus, burgess of Inverness. The charter is dated the second of May, but no year is given. It is interesting to learn who were

* *Charters of Aberdeen*, p. 3. † *Acts Sc. Parl.*, vol. i., p. 89.

present with the King in Elgin as witnesses to this charter:—

"David comite fratre meo . [Duncano] comite de Fife justiciario Scotie . Gilberto comite de Stradhern . Hugone cancellario . Joanne de Asting . Philippo de Valloniis . Willelmo Cumyn . Petro de Pollok . Willelmo filio Freskin . Hugone filio suo et Willelmo filio ejus."

William also issued a precept,* "Apud Elgin," "De decimis solvendis in Moravia," the witnesses on this occasion being recorded as follows:—

"Mattheo episcopo Aberdonensi . Johanne Episcopo de Katenes Roberto et Willelmo capellanis meis . Hugone clerico meo . comite Patricio . Comite Gylberto . Willelmo filio Freskyn . Willelmo de Lindesei . Roberto de Londoniis . Willelmo de Haia . Ranulfo de Soulis. Petro de Polloc . Philippo Marescallo . Herveio Marescallo."

William the Lion was like his grandfather, a generous benefactor to the church. He granted to Richard, Bishop of Moray, a toft in Elgin, *Reg. Mor.*, p. 11 (1189-99), and ten pounds annually "de firma burgi mei de Elgin." Prior to 1180 he also granted to the church of Kinloss the whole land of Burgin, the charter being witnessed "Apud Elgin."† He also granted to Kinloss the lands of Strathisla,† and a toft in the burgh of Elgin, as well as in several other northern burghs.‡

From the Register of the Bishopric of Moray, p. 10, it appears that this King granted (1189-1199) to the Bishop of Moray the right to establish a mill on Lossie (Loscyn) above the cruives and below the Castle of Elgin. He also gave the Bishop and his successors the right of taking fuel for their own use from the King's forests around Elgin, Forres and Inverness, reserving the rights the burgesses of these towns had in the time of the King's grandfather, David, or in the time of his brother, King Malcolm.

Bricius of the house of Douglas became Bishop of Moray in 1203, and, by his great charter of date 1208-1215, he procured that the cathedral, which had hitherto been migratory between Birnie, Spynie and Kinneddar, be fixed at Spynie. Andrew de Moravia, who succeeded as bishop in 1222, petitioned the Pope that the seat of the bishopric be transferred from Spynie to a more suitable place, namely, to the church

* *Acts Sc. Parl.*, vol. i., p. 90. † Dr. Stuart's "Kinloss," p. 109.

‡ Transumpt (1355) in Dr. Stuart's "Kinloss," p. 124.

of the Holy Trinity near Elgin. This transference, having been previously approved of by the King, was effected in 1224, and the establishment of Elgin as a cathedral city had a most important bearing on the whole of its future history.

Nor need we wonder that Bishop, King and Pope were at one in their choice of Elgin as the seat of the cathedral. Probably long before the Scottish kingdom was founded by Kenneth McAlpin in the middle of the ninth century, there existed along the seaboard from Banff to Inverness a line of forts, each evidently selected from some special advantage of site. These forts formed a protection against foes, alike from sea and land, a rallying point in times of danger, and a prominent position for beacon fires. These six strongholds—Banff, Cullen, Elgin, Forres, Nairn and Inverness—lie at singularly regular distances apart, and all from remote antiquity have been ranked as royal burghs. The most unobservant traveller in ancient times, as he approached the city of Elgin from the east, must have been struck by the sudden expanse of fertile fields and wood-covered knolls, all betokening a genial climate. Nature herself, he must have thought, had marked out the hill now designated the Lady Hill as the site of a stronghold, while he could not fail to admire the Lossie meandering in the neighbourhood as if purposely to afford an opportunity at all points for the erection of corn and other mills for the service of man. Not far off, too, in early times his eye would alight on the Loch of Spynie, and he would not fail to remark on the advantages the Loch afforded for fishing, as well as for trading direct with other ports along the Moray Firth.

Charters and other records show that the early Kings of Scotland came frequently to Elgin and its neighbourhood. King Duncan I. was murdered by Macbeth at Bothnagowan (Pitgaveny) in the year 1040.* Alexander I. granted a charter at Elgin. David I. passed the whole summer of 1150 at Duffus Castle superintending the building of the Abbey of Kinloss.† William the Lion, Alexander II.,‡ Alexander III.,

* In 1235, King Alexander II. granted three merks annually from the fermes of "the King's burgh of Elgin," or, as it is designated in the Exchequer Rolls, "de terris de le greifschip de Elgyn," to a chaplain in the Cathedral to pray for the soul of King Duncan.

† See Sir A. H. Dunbar's "Scottish Kings," p. 63.

‡ "Anno Domini millesimo ducentesimo trigesimo primo dominus rex Scotiae tenuit natale suum apud Elgin" (Fordun's "Scotichron.," lib. ix., cap. 48).

and David II. were also in Elgin on several occasions, as their charters show.

A thowsand twa hundyr and thretty gane
And to tha yhit reknyt ane
The Kyng Alysandyre in Elgyne
Held his Yhule and come oure syne
The Mwnthis passand till Mwnros.

(*Wynton*, Bk. vii., l. 2821.)

Wynton, in referring to a journey the King made from Elgin to the south of Scotland in 1242, says that he visited Moray yearly:—

The Kyng and the Qwene alsua
And ane honest Court wyth tha
That ilke yhere in Murrawe past;
Bot soon agayne he sped hym fast
Swa efftyre that he came fra Elgyne. (Bk. vii., l. 2951.)

From the Exchequer Rolls we learn that King Alexander III. made a journey to Inverness in 1263, passing through Elgin, and his expenses in going and returning are made by Alexander de Montfort, Sheriff of Elgin. He returned to Moray in the following year, and made a prolonged stay at Forres. From references made in records of that period there can be no doubt that the Kings of Scotland, when they visited Elgin, resided in the Castle. It was one of the twenty-three royal fortresses of Scotland that were delivered up to Edward I., and garrisoned by English troops, and in the following year transferred to John Baliol. Henry de Rye was keeper of the castles of Elgin and Forres while they were in the hands of the English.

Many burghs of considerably less importance than Elgin possess charters of very early date, notably Ayr, with its charter even of erection by King William the Lion, but Elgin neither possesses nor has possessed for at least several centuries a single royal charter, or confirmation of royal charter, of earlier date than 1234. It is difficult to take a calm surview of the whole case without arriving at the conclusion that charters, such as those referred to, must almost of necessity have been granted, although now irretrievably lost.

The following is a copy of the earliest charter now in the possession of the burgh. It is a charter granted by King Alexander at Elgin on

the 28th day of November, 1234, to the burgesses of Elgin, conferring on them the rights of a merchant guild as fully and freely as any burgh in Scotland possessed:—

Alexander Dei gratia Rex Scottorum Omnibus probis hominibus tocius terre sue salutem. Sciatis nos concessisse . et hac carta nostra confirmasse Burgensibus nostris de Elgỳn . vt ipsi ad melioracionem Burgi nostri de Elgỳn habeant in eodem Burgo Gildam suam mercatricem adeo liberam . sicut aliquis Burgorum nostrorum in toto Regno nostro Gildam suam habet liberiorem . Testibus . Alano hostiario . Reginald le Chen camerario . Hugone de Abbirnỳthỳn . Willelmo et Bernardo de monte alto . Alexandro de Morauia . et Willelmo Bỳset . apud Elgỳn . vicesimo octavo die Nouembris . Anno Regni nostri vicesimo.

About the year 1235 the Monastery of the Blackfriars of Elgin was founded by King Alexander II., and about the same time he also founded the Priory of Pluscarden.

In the year 1270 the cathedral of Elgin and the manses of the Canons were destroyed by fire.*

In the Acts of the Scots Parliament, under the year 1292, there is noted "Littera Burgens. de Elgin," remitting debts of the King and Queen.

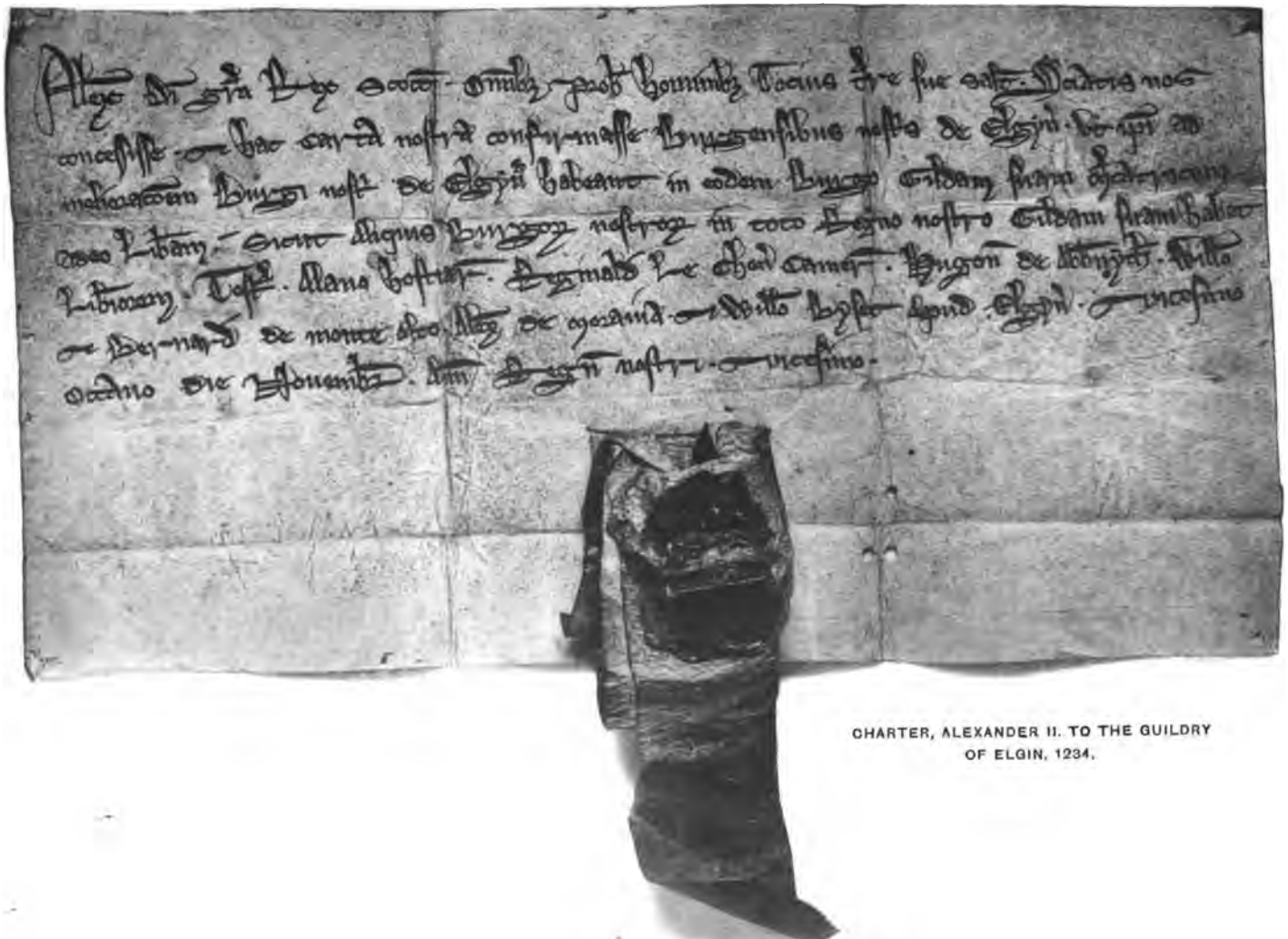
Little is recorded of Elgin during the troublous years following the death of Alexander III., until Edward I. of England proceeded to subjugate the kingdom of Scotland.

Of the eight expeditions Edward I. made into Scotland, only twice did he march so far north as Elgin. This was in the years 1296 and 1303, being his third and seventh expeditions respectively. The following notes of these expeditions are taken from a valuable work recently published †:—

With an army of 30,000 footmen and 4000 to 5000 horsemen, Edward crossed the Tweed to invade Scotland, and reached Edinburgh on 6th June, 1296. The narrative of the expedition is still extant in Norman-French in the Royal Library at Paris, written in the XIV. century

* "Eodem anno combusta est ecclesia de Elgyn et aedificia canonicorum" (Fordun's "Scotichron.," ii., 112).

† "Itinerary of King Edward the First, 1272-1307," by Henry Gough. (2 vols. Paisley, 1900.)



CHARTER, ALEXANDER II. TO THE GUILDRY OF ELGIN, 1234.

apparently by one who took part in the expedition. There is also an English version, apparently of the time of Richard II., in several MSS., as Harleian, No. 1309.

Leaving Edinburgh, the army arrived at Stirling (14th June), Dabberden (14th July), Kintore (20th), Fyvie (21st), Banff (22nd), Cullen (23rd), Enzie (24th), Rapenache (25th), Elgin (26th), Rothes (29th), Kildrummy (31st), Dundee (6th August), and arrived at Edinburgh on 17th August.

The following are the two versions referred to (*Itinerary*, ii., 281):—

Royal Library, Paris: "Le Vendredy apres ala a Kyncorn, maynor; le Samady, a Fyvin, chastelle; le Dymenge a Banet, chastelle. Le Lundy a Incolan, maynor; le Mardy en tentes en la mor* sur la rivere [de Spe. Le Mescredy passa et jut de outre parte de mesme la rivere] a Rapenache, maynor en la paiis de Moureve; le Joefdy a la citee d Eiglin†; bone chastel et bone ville et y demoera ij jours. Le Dymenge a Roseise maynor."

Harleian MS., No. 1309: "The Fridaie after wente to Kyncorn, manner; the Saturdaie to Fymin castell; the Sundaie to Banet castell; the Mundaie to Incolan, maner; the Tuesdaie in tentis in Lannoy upon the ryver [of Spey; the Wednesdaie he crossed and lay on the opposite side of the same river] to Repenache, maner in the counte of Morenme; the Thursdaie to the city of Deigin, a good castell and a good toune and taried ther ij daies; the Sundaie to Rosers maner."

Of all the castles on the route through Scotland, the chronicler designates that of Elgin alone as "good." Aberdeen has a "faire castell," and St. Andrews and Montrose have each simply "a castell." The only towns in Scotland he considers entitled to be designated as "good" are Elgin, Aberdeen, Montrose, Forfar, Perth, and St. Andrews.

There is no more notable event in the early history of Elgin than the presence in "la citee" for two days of the mighty and invincible army of the English King. Encamped no doubt on the wide and level expanse under the shadow of the Castle Hill, they presented a sight such as Elgin has never again witnessed.

* "En lannoi" (MS. Cott.). Hence the English version (MS. Harl., 1309) reads "in Lannoy." The place so designated is probably the forest of Awne or Enzie.

† "Deign" (MS. Cott.).

The power of the English King and the completeness of his subjugation of the country is exemplified in the Acts of Fealty and Homage performed to him by the conquered people along the route. These Acts exist in the Ragman Rolls, preserved in the Tower of London, and have been published by the Bannatyne Club. To Elgin came many important personages, and swore fealty to the King, the burgesses and community of Elgin also giving their oath of fealty at the same time.*

In his seventh Scottish expedition, King Edward arrived at Edinburgh on 4th June, 1303. After the capitulation of the garrison of the Castle of Brechin he marched to Aberdeen, where he remained from the 23rd to the 28th of August. He was at Banff on 3rd and 4th September, at Cullen on 5th, Rathven on 6th, and arrived at Elgin on 9th, where he remained till the 13th September. After a stay of ten days at Kinloss, he went to Lochindorb, Mortlach and Kildrummie, and was again at Kinloss on 10th October. Next day he passed through Elgin on his march over the Mounth to the Mearns and Dundee. There is no record of the number of Edward's army on this occasion, but it is said to have been beyond all possible resistance. We know, however, that he summoned between ten and twelve thousand men to muster at Roxburgh, and that he had, besides, a large contingent from Ireland.†

During his residence in Elgin in 1303, Edward seems to have resided in the Manse of Duffus, within the College of Elgin. John of Spalding was then prebendary of Duffus. In the Register of the Bishopric of Moray (p. 145) is a deed of date 1253-1298, whereby he grants to his successors prebendaries of Duffus the manse he had built on the site bought by him from the heirs of William Utrearius. In the Rolls of Parliament of England (*Rolls*, i., 469) is a petition in Norman-French, with a reply in Latin :—

A' N'RE [A notre] Seygnr [seigneur] le Roy pri son hoste de Helgyne Johan Despanyding chanon de Elgyne pur [par] Deu [Dieu] qe il y woyle [voulut] doner vint [vingt] chynes [chenes] en sa Forest de Laundmorgund a fer [faire] sa eglise de Duffus dunt [dont] il est chanone.

Responsio. Rex vult quod habeat.

(To our Lord the King prays his host of Elgin John de Spalding by the grace of God canon of Elgin that he would be pleased to give him

* See Appendix A. † Bain, "The Edwards in Scotland," p. 40.

twenty oaks in his forest of Langmorn to repair his church of Duffus of which he is canon.

Answer. The King wills that he may have them.)

James II. also resided in the Manse of Duffus when he visited Elgin in 1455.

A charter of a very unusual character was granted by King Robert I. to his nephew, Sir Thomas Ranulph,* of the Earldom of Moray, whereby the barons and free tenants of the Earldom who held of the Crown in chief should henceforth hold of the Earl. The charter also declares "quod burgi et burgenses de Elgyn, de Forres et de Invernarne easdem libertates habeant et exerceant quas tempore Domini Alexandri regis Scotorum predicti et nostro habuerunt hoc solum salvo quod de nobis tenebant sine medio et nunc de eodem comite tenent cum eisdem libertatibus." The Earl of Moray also held the burgh of Lochmaben in the same manner. The burgh of Elgin for a long period continued to hold this singular relation towards the Crown.

In the year 1330 an agreement was made between the burgesses of Elgin and the Prior of Pluscarden regarding the payment by the former to the latter of certain mill multures, and providing for the continuance of a like payment in the event of the mills of Elgin being destroyed by fire or any other accident, or by a spate of water. The original agreement is lost, but an old copy on paper exists among the burgh records, much of it, however, imperfect or illegible. †

In the struggle between Scotland and England in the early years of David II., Andrew de Moravia besieged the Castle of Lochindorb, but assistance being asked of Edward, King of England, he assembled an

* Sir Thomas Ranulph (or Randolph) was the only son of Thomas Randolph of Strathdon, sometime Chamberlain of Scotland, by Isabel, sister of King Robert I. He succeeded his father soon after 1294, distinguished himself in behalf of Bruce's claim to the Crown, and was in command of the left wing at the battle of Bannockburn. He was created by the said King, probably in 1314, but perhaps as early as 1312, Earl of Moray, receiving the extensive district of that name with remainder to the heirs male of his body. This was the first Earldom created after the extinction (1290) of the Celtic dynasty. From the tenor of this charter it appears that the lands (omnes terras nostras in Moravia sicut fuerunt in manibus Domini Alexandri regis Scotiae) were not formerly an Earldom, for in the beginning they are called the King's lands in Moray, though immediately after the clause of erection the lands are called "comitatus," and Thomas Randolph is called "Comes." He signed the letter to the Pope as to the independency of Scotland, and was Regent of Scotland from 1329 till his death in 1332. (*The Complete Peerage*, by G. E. C., v., 359.)

† See Appendix B.

army, as we learn from Fordun, of 20,000 men, besides his Anglicised Scots, of whom he had many in number, and made in haste for Scotland by sea and land, wishing to aid the Countess of Athol, who was besieged within the castle, and to subject to his sway these northern parts. The King relieved the Countess and her ladies, and placed a strong guard in the castle. Then consuming all Moray by fire, he arrived at Elgin* in the month of June, 1336, and signalised his passage through Aberdeen by burning the town and levelling it to the ground. The march of Edward to Lochindorb was not a little romantic. His army lay at Perth under the Earl of Lancaster. He, himself, with a comparatively small force, set off for Lochindorb, reaching it within four days (12th to 15th June). The King rejoined his army at Perth by way of Elgin and Aberdeen.†

Adam de Buthergask held a Justice Aire at Elgin on 10th October, 1337, and in the same year the Sheriff of Elgin, W. de Stratbrok, charges himself with 106s. 8d. received from the issue of said Justice Aire, also with 4 li. 6s. 8d. from two-thirds of the "prepositura" of Elgin. The Rolls show that there was then a King's granary at Elgin to store the payments of grain in kind, and to disburse part thereof in annual charity to the Friars Preachers and others.

S. Ninian was born on the shores of the Solway Firth, and is said to have paid a visit to S. Martin at Tours, who died about the year 397 A.D. "At his sacred tomb," says his biographer, "the infirm are healed, lepers are cleansed, the wicked are terrified, and the blind receive their sight." The wondrous cures wrought by the relics of S. Ninian became known all over Europe. James IV. and James V. were frequent visitors to his shrine, and such faith had the common people in pilgrimages to the church of Candida Casa that, even after the Reformation, an Act of Parliament had to be passed (1581) prohibiting and making punishable such pilgrimages. From a work recently published by the Scottish Text Society,‡ we learn that one of the miracles wrought by S. Ninian was the curing of John Balormy of Elgin. The Legends were written about

*Totam Moraviam igne consumens, usque Elgyn pervenit (Fordun's "Scotichron.," lib. xiii., cap. 37).

†Bain, "The Edwards in Scotland," p. 89.

‡"Legends of the Saints in the Scottish Dialect of the Fourteenth Century," edited by Dr. Metcalfe, vol. ii., p. 343.

the year 1400, but the author or authors are unknown. The tale of John Balormy appears to have been written by the author in his old age, which may carry back the date of the incident to c. 1350, and as the writer says he was acquainted with John, Elgin may claim a closer connection with the unknown author than has hitherto been supposed. Before quoting the Legend, it may be observed that Ballormie is a place-name found in Moll's Map of Scotland (1725), on the northern shore of the once existing Loch of Spynie, which gives an additional local connection to the Legend, that the night the Saint appeared to John Bellormy was about a thousand years after he is generally understood to have finished his labours on earth, and that John seems to have been afflicted till his miraculous cure with scrofula, or king's evil. That was "the worm."

A lytil tale zet herd I tel
That in to my tyme befel
Of a gudman in Murrefe borne
In Elgyne and his kine beforne,
And callit vas a faithful man
With al thame that hyme knew than;
And this mare trastely I say,
For I kend hyme weile mony day.
Johne Balormy ves his name,
A man of ful gud fame.
And in processe of tyme tyd hyme
Til haf the worme in til his lyme,
And wrocht sa in his schank and kne,
That bath ware thai lyk tynt to be;
For bath thai var sa swollyne
Of that worme fellone, and bollyne,
And that syndry holis rynnand,
That one that syd he mycht nocht stand,
Na gang na fut of the sted
To wyne his fude na eschew ded.
And that held hyme ful thre zere,
Ay were and were in that manere,
That helpe of gris gat he nane,
Na of charme, na of stane.

Syne a tyme, as he lay,
Hyme come to mynd [that] he herd say,
That quha wald Sanct Niniane seke
And to fast his fasting awou eke
That he suld gif thaim thare askynge
Bot it ware wnleful thyng.
Tharfor he awouyt, ore he fayne,
To fast and sek Sanct Niniane
In hope sic grace he suld gif hyme
That he mycht weile recouer the lyme.
And fra he sic awou had made,
Of the mast redy gud he hade,
Sone his spending he can [mak] zare
Thar-with he suld to Quhythorne fare,
And gat men to by hyme be,
To helpe hyme in necessyte.
And quhen this wes redy made,
He fure his way but abade,
And held one the nerraste way
Quhar met and drink ves fundine ay.
And mylys are, quha cane tel
Fra Eglyne, quhar he can duel,
To Quhythirne, I dare say,
Twa hundre myle of met way.
Zet with disese and payne
Ydire he wane and ves fayne.
And quhen he come to the kirk
Thai tuk hyme of his hors [ful] irke,
And one twa handis and a kne
To the hye altere trawalyt he,
And offerit thare: and men hyme dycht
A bed to ly [on] in that nycht.
And he, that sare wes and wery,
Slepit oure that nycht sadly.
And one the morne, as it dew day,
Til hyme, that halfly-slepand lay,

Sancte Niniane cane apere,
And teyndirly cane at hyme spere
Gif he in wil wes to fulfil
The awou he mad hyme til.
Quod he, Za, for wa or weile
He suld fulfil it ilke deile.
Thane sad Sanct Niniane: "Tho I spere,
Thi gud wil haf I nocht in were;
Bot sen thu has with gret disese
This trawele mad me til enples,
I lat the wit thu sal nocht
Thi erand tyne that thu has thocht.
For-thi gang hame, quhen-euir thu wil!
For, tho thu cume one hors me til,
To gang hame thu sal hable be
One thi fete in prosperyte,
And haf thi lyme hale and lycht,
As euire thu had in thi mast mycht."
And as day come he fand his schank
Hale and fere, and zarne can thank,
God of his grace and Sanct Niniane,
And mad this kyd til mony ane;
For bath his schank and his kne
Ware als haile in al degre
As thai ony tyme befor wes,
Owtane thare wes les of flesche
And smallare sum part but wene
Thane the todire leg had bene.
And this merwalle wes mad kyd.

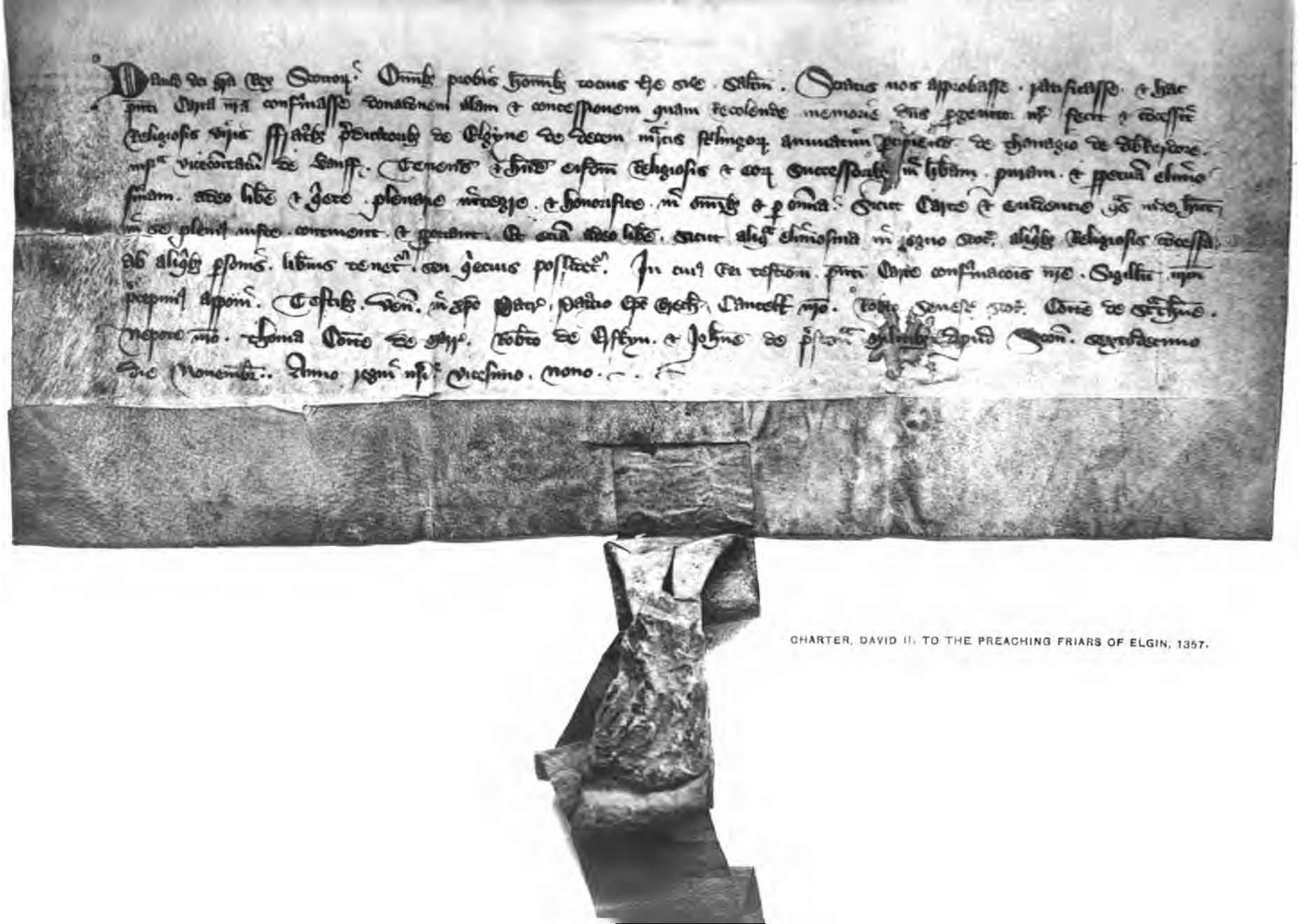
GLOSSARY.—Awou, vow; bollyne, swollen; bot, except; can, did; dew, dawned; dycht, made ready; enples, please; eschew ded, escape death; fayne, adj. glad; fayne, v. ceased; fare, go; fere, sound; forthy, therefore; fure, went; gris, ointment; ilke deile, every bit; irk, weary; kyd, to make known; lat thee wit, let you know; met, measured; Murrefe, Moray; owtane, except; schank, leg; sone, soon; stane, certain stones were supposed to have the power of healing when applied to a sore; sted, place; tyd him, it happened to him; but were, without doubt; were and were, worse and worse; ydire, thither; za, yes; zare, ready; zarne, earnestly.

One of the earliest references to the seal of the burgh occurs in a deed,* of date 1362-97, whereby the Bishop of Moray grants to Andrew Robertson two perticates of land in Elgin, on the north side of the burgh, between the lands of Henry the glasier on the east and west, with the croft extending to the "dede reche" towards the north. To this deed the common seal of the burgh was appended. A seal of this period is still in the possession of the burgh. †

The Register of the Bishopric of Moray (p. 191) contains a protest (1369-94) by Bishop Alexander Bur against the claims of John de Dunbar, Earl of Moray, and the burgesses of Elgin, regarding their making use of the port of Spynie, and the lands of Spynie, Kinneddar and the Inch. The bishop protests that the lands of Spynie, Kinneddar and the Inch have belonged past memory of man to the bishopric of Moray, that the port of Lossy, or, as it is otherwise called, the port of Spynie, and the fishing grounds in dispute are within the bounds of the aforesaid lands, that the bishops of Moray were wont to have fishers of sea fish dwelling in the town of Spynie, with their wives and families, sailing from Spynie to the sea, and bringing back their boats and fish by the said port, in name and right of the bishops of Moray, that Bishop Pilmore (1326-1362), with a view to improve and deepen the said harbour, proceeded as lord of said port to alter the course of the stream, and to sink boats there for that purpose, that he is prepared to prove that he and his predecessors have ever had fishers with cobles or boats for catching salmon and grilse and shell fish with net and hook on the grounds in dispute, no objection thereto being ever raised on the part of the Earl of Moray or the burgesses of Elgin, and that the Kings of Scotland exercised the same rights as the bishop during vacancies in the bishopric.

The same Register (p. 369) also gives a graphic account of how the same Bishop, in 1383, arrested a small ship called a farcost. It happened on Sunday, the seventh of June, that as the bishop was crossing from his castle of Kinneddar to the church of Urquhart over his water of Lossie by the ford called Krannokysford, he found a farcost lying in the said water, near the sea. Going up to it, he asks of the only man on board whose vessel that was, or by whose license he had entered that water. The man replied that the vessel belonged to John de Lany, and that he had entered the water by leave of the burgesses of Elgin. The bishop

* *Reg. Mor.*, p. 188. † See Illustration.



CHARTER, DAVID II, TO THE PREACHING FRIARS OF ELGIN, 1357.

retorted that neither the burgesses of Elgin nor any one else had right thereto, and that the water belonged to the bishop of Moray, whereupon the bishop arrested the vessel and took a pledge. On his return from Urquhart that Sunday afternoon, the bishop found two burgesses of Elgin, Philip Bisset and Henry Porter, at the ship, taking out of her barrels of beer, tallow and flour, with horses and sleds, standing on the bishop's lands of Kinneddar. These he arrested, together with the ship and her anchors.

John Dunbar, younger brother of George, Earl of March, having become sole heir of Thomas Randolph, Earl of Moray, and having married the Lady Marjory Stewart, daughter of King Robert II., obtained a charter of the Earldom of Moray from the King, his father-in-law (1372), that Earldom having reverted to the Crown a few years before. The King also granted the Earl a pension of a hundred pounds sterling furth of the customs of Elgin and Forres.

On 1st May, 1390, the said Earl remitted the assise of ale formerly paid to the Earl's Castle of Elgin, or, in lieu thereof, 100s. out of the fermes of the burgh yearly, in consideration of the damage occasioned to the burgh by three pestilences and various violent attacks made by different persons.*

But a greater calamity was soon to befal the town. On the feast of St. Botulph, the seventeenth day of June, 1390, Alexander, Earl of Buchan, son of King Robert II., commonly designated the "Wolf of Badenoch," entered the town at the head of a band of wild Highlanders, and spread almost unheard-of desolation through the fair city, burning the whole town—totam villam de Elgyn—the cathedral, the church of St. Giles and the hospital of Maisondieu. The chronicler of the event deplores also the destruction of all the books and charters deposited within the cathedral. The "Wolf" took this plan of revenge, it is said, for his excommunication by the Bishop of Moray, when he had seized some of the Bishop's domains. He deserted his wife for "Mariota filia Athyn," and was, on 2nd November, 1389, ordained by the Bishop of Moray to live with her, and became bound not to maltreat her under a penalty of two hundred pounds. In the same year, the office of Justiciar north of the Forth was taken from him. He burned Forres the month before he burned Elgin. The perpetrator of these outrages was after-

* See Appendix C.

wards absolved from the sentence of excommunication at Perth, at the door of the Blackfriars Church, and before the high altar thereof, by the Bishop of St. Andrews, in presence of the King, the Earl of Fife and others, on condition that he would satisfy the cathedral church of Moray. What restitution, if any, he made, either to the church or the town, is not recorded. He died not very long after, in the year 1394, and was buried in the choir of Dunkeld Cathedral.

There still rings in our ears the touching wail of the Bishop as he pleads to the King for the rebuilding of his cathedral church—

Speciale patrie decus, regni gloria, et delectatio extraneorum et supervenientium hospitum, laus et exaltatio laudis in regnis extraneis.

Equally affecting, no doubt, was the wail of the burghers, although this has not been carried down to us through the centuries, as they beheld their church, their hospital, their whole town recklessly consigned to the flames. The King, we know, for several years gave an annuity of twenty pounds for rebuilding the cathedral, and it is pleasing to remember that the architectural features of the cathedral still remaining show that the "Wolf" cannot have burned all to the ground.

The notable event is thus referred to by early writers :—

That ilk yhere eftyr syne
Brynt the kyrk wes of Elgyne
Be wyld wykkyd Heland-men,
As wedand in thair wodnes then.
Sum of thai for that wes slayne;
Sum tholyd wengeans and hard payne
Till thare endyng, but remede.
Fewe war of tha, that deyd gud Dede.

(*Wynton*, sub. 1393, Bk. ix., xii., 143-150.)

Sone efter this Alexander Stewart,
The kingis sone, ane cruell man of hart,
Erle of Buchane als in that tyme wes he,
And for quhat [caus] I can nocht, bot I lie
Tell zow this tyme, with sic haitrent and ire
That samin tyme hes he brynt in ane fyre
Of Murray sait the greit cathedrale kirk.

Ane wickit man mon ay ill werkis wirk,
And for no caus bot for the samin quhy,
Becaus the bischop than did him deny
All his desyre and warnit him his will
Wrganand war than to grant him till.

. . . . .

This Alexander, as that sum man sais,
Of Badzenoch wes callit all his dais
The vorax wolf, because all tyme that he
Vsit oppressioun with crudelitie.
Ze sall nocht fynd in no storie men reidis
Ony gude said of him or zit his deidis.

From "The Buik of the Chronicles of Scotland, or a Metrical Version of the History of Hector Boece," by William Stewart, c. 1532 (published 1858).

Thomas of Dunbar, Earl of Moray, by deed of date 23rd May, 1393, granted to the alderman, bailies and burgesses of Elgin an exemption of custom upon all the wool, cloth and other things that go by sea out of "our" haven of Spey.*

An interesting charter of date, 23rd July, 1393, one of the oldest in the vernacular, is preserved in the town's cadget.† By this charter Thomas Dunbar, Earl of Moray, frees of custom all goods exported by the burghers from the port of Spey.

Be it knawyn tyl al men thrw ẏis present lettres Vs Thomaẏse of Dunbarr . Eryl of Murreffe . for tẏl hafe grauntẏt and gẏfin tẏl ẏe aldirman . ẏe baẏlis . of wre Burgh of Elgẏne . and to ẏe burges . of y^t ilke al ye wol . ẏe clathe and al vthir thyngis . y^t gais be schipe owte of wre hafine of Spee . vncustomẏt . ẏe qwhilkis we hafe consayvit . hurtis gretlẏ ẏaire fredome ẏe qwhẏlkis oẏsẏt It wald ryn vs to preiedẏce . and to ẏaire fredome befornemỹt . and ẏis as before wyt al men we wil nocht thole . In ẏe wytnes of ẏe qwhilkis thyngis we gerit put wre seel to ẏis present lettres at Elgyne xxiij day of ẏe moneth of Jule in ẏe ẏhere of grace . M°. C°C°C°. nynety and thre.

The seal is gone, but the charter otherwise is in good preservation.

* See Appendix D. † See Illustration.

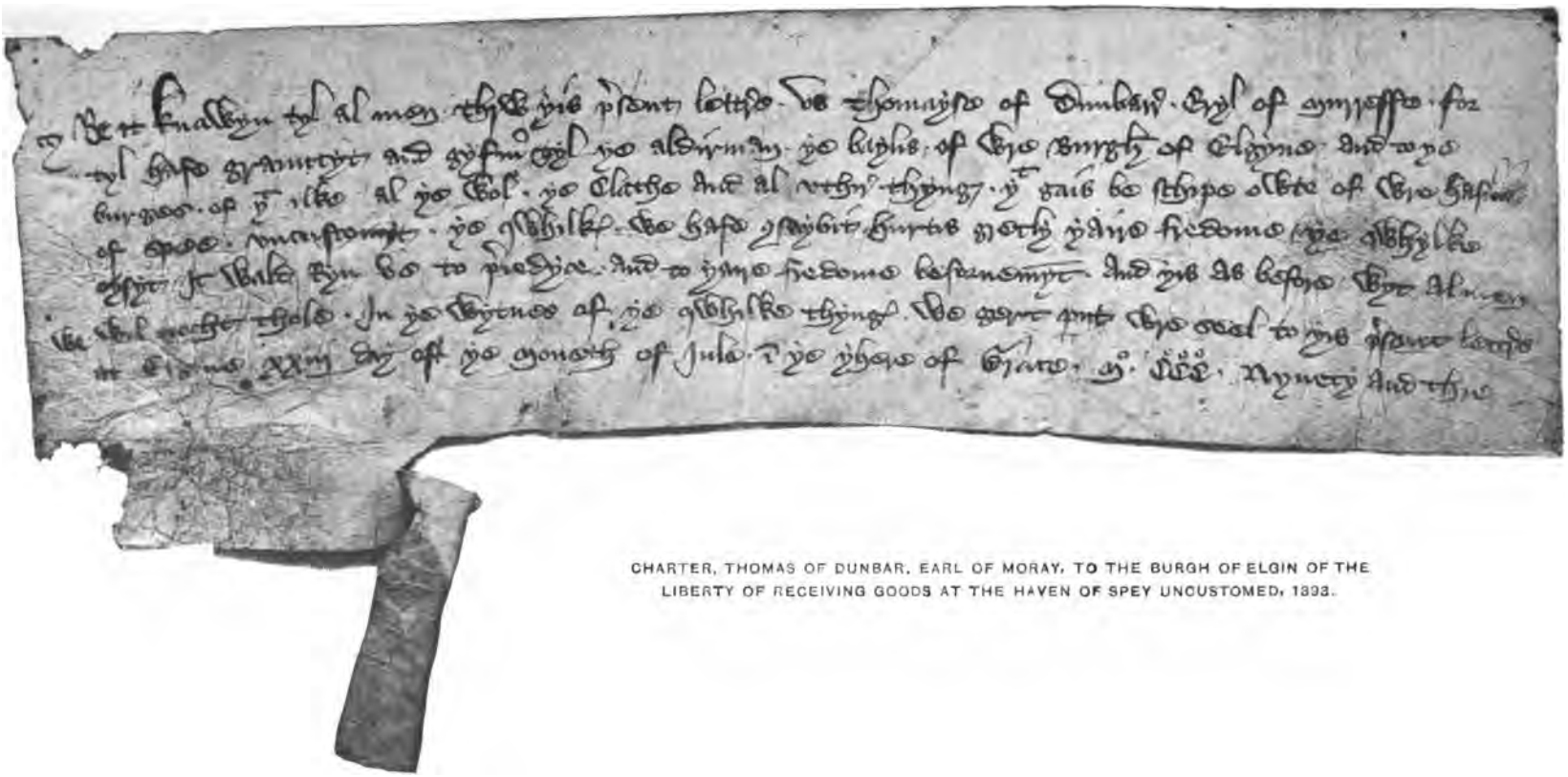
On 16th July, 1402, King Robert III. granted a warrant under the great seal, signed at Edinburgh, to Simon of Caithness, dean of Aberdeen, and John, son of Walter, to ascertain by an assise of faithful men whether the fishing of the water of Lossie belonged to the Earl of Moray and his burgesses of Elgin, or to the Bishop of Moray, the Bishop asserting that it belonged to the bishopric, and belonged thereto in the time of Thomas Ranulf, Earl of Moray.*

The town of Elgin, for the second time within a few years, suffered severely at the hands of the spoiler and the incendiary, and that although the perpetrators on both occasions were specially bound to defend the lands and property of the bishopric. On the third day of July, 1402, Alexander of the Isles, third son of the Lord of the Isles, plundered the College of Elgin of all valuables he found therein, burned a great part of the town of Elgin, and carried off the spoil to his Highland home. He returned to the college with a large army, bent, it may be, on further mischief, but, on being told that he had incurred the sentence of excommunication by having a few months before violated the special privileges and immunity the college had ever of old enjoyed, he and his men petitioned to be absolved of their past misdeeds, which accordingly was done by Bishop William of Spynie at the door of the Cathedral, and thereafter with great pomp before the high altar; and in token of his contrition, Alexander of the Isles offered a large torticium ornamented with gold, his captains at the same time making offerings, and caused a cross with a bell to be erected at the place where the boundary of the sanctuary commences on the side next the town. This place, there is every reason to believe, was at or very near where now stands "The Little Cross."

For the third time, within little more than half a century, Elgin was burnt. From Balfour's "Annals," we learn how the Battle of Brechin was fought on Ascension Day, the 18th of May, 1452, between Alexander of Seton, 1st Earl of Huntly, the King's lieutenant, and Alexander Lindsay, third Earl of Crawford, and how the latter was defeated, his brother, James, killed, and many of his men.

"The earle of Huntley imediatly after the batell of Brechin marches north to opposse the proceidings of Archbald Douglas, earle of Murray, quho had inwadit his landes and brunt the castell of Strathbolgie; him

* See Appendix E.



CHARTER, THOMAS OF DUNBAR, EARL OF MORAY, TO THE BURGH OF ELGIN OF THE LIBERTY OF RECEIVING GOODS AT THE HAVEN OF SPEY UNCUSTOMED, 1393.

he chases out of Murray and burnes the toune of Elgyne and he againe defaitts his armey at Dinkintey boge."

The earliest Royal Charter now in existence, or that has been in existence for many a year, to the burgh of Elgin proper, is that of James II., of date 8th November, 1457. By that charter, James took under his protection the burgh and its inhabitants, and all their privileges and possessions.*

By that period the great Douglas rebellion had been suppressed, Parliament having passed sentence of forfeiture, in June, 1455, on James, ninth and last Earl of Douglas; on his brother, Archibald, "pretended" Earl of Moray, slain at Arkinholme; and on his brother, the Lord of Balveny. The king created his infant son, David, Earl of Moray, but he died at the age of three years, a few months before the date of the charter referred to.

Archibald of Douglas, Earl of Moray, granted a charter to the burgh, engrossing the royal charter of Alexander III., which he also thought proper to confirm in the common style and language used in the charters of kings confirming the grants of their predecessors.†

The burgh of Elgin was first represented in Parliament at a meeting held at Edinburgh in 1469, but it was only a few years before that time that burghs began regularly to sit in Parliament, although tney were present at Cambuskenneth in 1326, and on a few occasions when money had to be raised; shires were not represented till 1593. Elgin and Forres had a joint representative at the Parliament held at Edinburgh on 6th October, 1488. Thereafter no return of members exists till the Parliament of 15th December, 1567, when Elgin and Forres sent separate representatives. The name of no member from Elgin is recorded previous to the Parliament held on 20th October, 1579, when Elgin sent two representatives, John Annand and James Garden.

From the Exchequer Rolls and Lord High Treasurer's Accounts, it appears that King James IV. was present in Elgin in October, 1494, holding a Justice Ayre, and thence proceeded to Banff:—

Ad expensas [domicilii dom. regis] apud Elgin et Inuernes intrat. [in Libris ad extra] vii^{mo}. Octob. anno nonagesimo quarto xij marte viii mutones et ad easdem expensas apud Elgin et Innernes intrat. in libris

* See Appendix F. † See Appendix G.

viimo. Octobris octavo et vicesimo octavo eiusdem anni nonagesimi quarti iiij celd. x boll. ij ferl. frumenti.

Justice Ayres. 1494. Apud Elgin penultimo Octobris. In primis a remissioune to Johne Gillemichell and otheris his complices lvi li.; item to Alexander Cumin of Altyre vi li. xiii. s. iiii d.; to Androw Fresell and diuers others his complices vi li. xiii s. iiii d.; to Duncane Cumin and his complices xvi li.; to Androw Geddas and his complices xiii li. vi s. viii d.; to Johne Fresell xl s.; [to] Andro Geddes, zounger, x li. xiii s. iiii d.

A few years after, the King was again in Elgin, as his Treasurer's Accounts show:—

1497.—To William Balfour in Elgin to by him ane hors with be the Kingis command, ane vnicorne, ane Scottis crovne; summa xxxi s. iiijd.

1497, October.—To the feriar of Spey xviii s. Item to the King himself to the cartis that he tint with the Erle of Lenochis Lord Home Lord Gray iij vnicornes ij French crownis, summa iiij li. ij s. Item to the Blak Freris of Elgin xiij s. iiij d. Item to by bred to the Kingis hors ij s. ijd. Item to mend the harnas sadill thare xviii d.

1498, July.—Ressauit of the extreits of the ayres of Elgin xxiii li.

1498, July.—Ressauit of compositiounis of remissiounis of certane personis in the Justice airis of Elgin haldin in Februar the zere etc. nynte and vii.: jc. xxviij li. x s.

1498.—To the schiref of Abirdene to send the extretis of the airis of Elgin and Banf to the schireffis of thaim x s.

The Treasurer's Accounts for the following years furnish several interesting particulars. We learn from them that in the year 1501 the King arrived at Aberdeen on 26th October, that he was at Strathbogie on the 28th, and on the 31st October he crossed the Spey and arrived at Elgin the same night. Accompanying him on his journey was Janet Kennedy, daughter of Lord Kennedy, by whom the King had a son the previous year. At Elgin the lady's heavy baggage, which had started before them, had to wait till the Castle of Darnaway was ready for their reception. On the third of November the King arrived at Inverness, and thence proceeded to Tain, and was back to Inverness on 18th November.

In the year 1503 the King arrived at Aberdeen on 6th October,

reached Strathbogie on the 7th, and crossed the Spey and arrived at Elgin on the 8th October.

1501, November.—Item the first day [of November] in Elgin to ane man to pas to Strivelin with ane lettir of the Kingis to Andro Aytoun xiiij s.

Item to Thom Flemyng to bide in Elgin with the laydis gere quhill the place of Ternway be resavit ix s.

1501, November 18.—Item for carrying of the ladyis coffrez and hir gere fra Elgin to Ternway vi s. viii d.

1501.—The last day of October in Elgin to the kingis offerand to to ane preistis first mes xxviii s.

Item the first day of November to the Freris of Elgin xiiij s.

1503.—Item the vij day of October to the Blak Freris in Elgin xiiij s.

Item to the Gray Freris there xl s.

Item to Schir Andro Makbrek to preistis thare iiij li.

1504, October 22.—To the abbot of Cambuskinneth he gaif the Freris of Elgin xiiij s.

1501.—Item the secund day of November the Lordis passit fra Elgin to Invernes to the aire and wes at the airis of Invernes, Elgin, Banf and Aberdene. The aire of Aberdene endit the xvi day of December quhilk is in the hale xlv dayis to the Justice expens ilk day xl s. summa lxxxx li.

Compositions at Justice Ayres. The treasurer charges himself with "liiij li. xvi s. viii d. in [partem sol]utionis compositionum itineris justiciarie de Elgyn [et For]es tenti xxiv^{to}. Novembris anno v^{c}j extendentium ad lxxiiij li. x s. et sic de summa principali restant solvende ut supra xix li. xiii s. iiij d."

The treasurer charges himself "de xiij li. de resta summe xix li. xiij s. iiij d. de compositionibus remissionum itineris justiciarie de Elgin tenti anno v^{c}. primo et restant vi. li. xiij s. iiij d. cum qua onerandus est thesaurarius."

1501, August 22.—Giffin to David Tempilman messengeir passand to Invernes, Elgin, Banf and Abirdene with the proclamationis for the airis and with the portwis to the crounaris of the said boundis xxvi s.

1502, October 7.—To the bote men of Spey be the kingis command ix s.

1502, October 8.—Item in Elgin in Murray to ane blind harpar thare be the kingis command xxviii s.

1504, October 19.—Item to the madinnis that dansit at Elgun xj s. vi d.

On 11th October, 1505, the King crossed the Spey on his way from Strathbogie Castle, and next day at Spynie he was entertained by the singing of maidens. The bishop, Andrew Forman, who was high in favour with the King, no doubt provided the entertainment for his guest. The Queen, Margaret, daughter of Henry VII., whom James had married in 1503, wrote to her father, soon after her marriage: "My Lorde of Surrey and the Bichopp of Murrey ordereth euery thing as nygh as they can to the kyngis pleasur." The King was at Darnaway on the 13th October, and again on his return on the 20th October, whence he journeyed by Spynie, the Spey ferry and Strathbogie.

In 1506, the King was at Tain on 10th September, and journeyed south by way of Darnaway, Pluscarden and Elgin.

1506.—Composition at Ayre held in 1501: Thesaurarius onerat se de vj li. xiii s. iiii d. compositionum itineris justiciarie de Elgin tenti anno quingentesimo primo.

1505.—Item the xij day of October to the Blak Freris of Elgin xiiij s. Item the xxi day of October in Invernes to Schir Andro Makbrek to dispone thare and in Elgin vj li.

1506.—Item [the xxij day of September] to the Freris of Elgin xiiij s.

1506, September 18.—For the children expens in Elgin beand the Spanzartis clathis thare v s.

The foregoing entry refers to nine Spaniards whom the King brought from the Lewis, where probably they had been shipwrecked, to Inverness, where he caused them to be well treated.

1506, September 21.—For ane hat to Cristofer bocht in Elgin v s.

Christopher was the heir apparent of the King of Denmark, being the son of Princess Elizabeth, sister of King Hans. He succeeded King Hans as Christian II.

1506, September 21.—To the masons of Pluscardy in drinksilver xiiij s. Item in Elgin to the wemen that sang to the king vii s.

Item to Liown tailzour to fee ane hors to ane Spanzart from Elgin to Linlithqw ix s.

On another occasion he passed through the town in pilgrimage to Tain:—

"In the zeir of God I^{M}. V^{C}. zeiris or thairby in the space of aucht dais he raid to Sanct Duthois his allane be Abirdene and Elgyn being ane lang way and returnit be the same way to the Castell of Striueling, quhilk wes neuer sene done be any king before nor salbe neuer efter."

Bishop Leslie's version of the incident is that on 25th August, 1507, the King "in ane day ran on pilgrimage alane from Stirling through S. Johnstoun and Aberden to Elgin of Murray a hunder and xxx myles," and on to "S. Dutha of Rosse."

Letters of Protection were granted by Queen Mary, of date 5th July, 1555, to the Council and community of Elgin. The original is in the archives of the burgh, and is endorsed "Protectio balliuorum consulum et conburgensium burgi de Elgin."

Maria de gracia regina Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint Salutem sciatis nos dilectos nostros balliuos consules et inhabitantes burgi nostri de Elgin viz. Magistrum Alexandrum Dowglas Alexandrum Williamsoun Thomam Zoung Johannem Robertsoun balliuos eiusdem Andream Myln Thomam Vmfra Jacobum Gardin Willelmum Gaderar Jacobum Pedder Willelmum Smyth Johannem Murray Jacobum Stevin Georgium Crukschank Jacobum Gadderar Willelmum Adame Alexandrum Cuming Willelmum Zoung Robertum Mawer Wilelmum Hay Johannem Vmfra Jacobum Wat Andro Cowy Robertum Straithauchin Andream Boyn Jacobum Suthirland Johannem Annand conburgenses dicti burgi Willelmum Balmannoch et Jacobum Williamsoun terras suas homines suos et universas eorundem possessiones ac omnia bona sua mobilia et immobilia sub firma pace et protectione nostra juste suscepisse Quare firmiter inhibemus ne quis eis aut eorum alicui malum molestiam iniuriam seu grauamen aliquod inferre presumat iniuste super nostram plenariam forisfacturam presentibus post annum immediate valituris In cuius rei testimonium has literas nostras sibi fieri fecimus patentes Apud Edinburgh quinto die mensis Julij anno regni nostri decimo tertio.*

* The original bears the following indorsation:—"Upoun the viii day of July the zeir of God I^{M}V^{O} and lv zeris I Alexr. Cunynhame messenger past at comand of thir our Souerane ladeis letters to the mercate croce of Edinburgh and ther be opin proclamatioun maid publicatioun of thir letters to all and sindrie our ladiis liegis in forme as offeris. This I did befor thir

It was recorded that King William the Lion granted a toft in the burgh of Elgin to the Abbey of Kinloss, and "unum toftum in Elgin" is enumerated among the possessions of the Abbey in a charter by Richard, Bishop of Moray (1187-1203), taking the Abbey and their whole possessions under his protection. In Abbot Thomas Crystall's time (c. 1500), there was payable to the Abbey "e firmis et annuis in Elgyn marc. 2," and in the "Haill Rentall of the Abbay of Kynlos" (1574) is included the following:—"Item the few lands of Elgin payis yeirlie xxxij s. iiii d."

The following "Act anent maisterfull beggars" is in the town's cadget. The original of date 7th February, 1537, is in very good preservation, with the seal intact. At that date James was in Paris, it being the month after his marriage with Madeleine, daughter of the King of France:—

"James be the grace of God King of Scottis. To the provest, ballies and counsell of our burgh of Elgin greting forsamekle as it is ordanit be the lordis regentis and of counsell that our last act of parliament maid anent beggaris and rewling of thame be put to dew executioun in all punctis and that proclamatioun be maid thairof conforme to the same in all places of the quhilk act of parliament the tenour followis In our parliament haldin at Edinburgh the xx day of Junij the zer of God I^{M}. V^{C}. xxxv zeris anent the refreing of the multitude of maisterfull and strang beggaris It is ordanit that the act maid thairupon of befor be vmq^{le}. King James the first of gud mynde quhom God assolze be obseruit kepit and put to scharp executioun in all punctis with this additioun That na beggaris be tholit to beg in ane parochin that borne in ane vther and that the hedsmen of ilk parochin mak and geif takinnis and that thai be sustenit within the boundis of that parochin and that nane vther beggaris be seruit with almous within that parochin bot thai that beers that takin alanerly vnder the pains contenit in the said act and that our Justice Clerk mak inquisitioun to tak dittay herapoun at enny our Justice air *Our Will is* herfor and we charge zow straitly and commandis that incontinent thir our letters sene ze pass and in our name and auctorite put our said last act of parliament anent the saidis beggaris

witnesis Alexr. Dunbar of Cumnok Dauid Nicolsoun Duncane Wilsoun and William Patersoun with vtheris diuers and for the mair witnessing to this my indorsatioun my signet is affixit." A portion of the wax still remains.

and reule of thame to dew executioun in all punctis and publis and mak proclamatioun thairof at the mercet croce of our said burgh sua that nane of our liegis sall pretend ignorance thairof or allege that thai knaw not the same in tyme to cum as ze will ansuer to us thairupoun deliuering thir our letters be zou deulie execut and indorsat agane to the berar. Gevin vnder our signet at Edinburgh the vii day of Februar and of our regne the xxiiij zeir. Per dominos consilii."

The Magistrates of Elgin had frequently to defend their rights against the encroachments of the Sheriff of Elgin and Forres. One of the earliest instances is recorded as follows:—

*Double decreit Towne of Elgin against Alexander Dunbar of Cumnock and his deputs.**

At Edinburgh the first day of June the year of God I^{M}.V^{C}. and fourtie years the lords of Counsell vnder writtin They ar to say wenerable fathers in God Alexander, Commendar of Cambuskynnoch president, Robert, Commendar of Kinlois, ane noble and mightie lord Walter, lord Sanct Johne, Mr. William Gibsone, dene of Restalrig, Mr. William Lamb, persone of Convith, Mr. John Pethame, persone of Kirk Christ, Mr. John Sinclair, persone of Snaw, Mr. James Fowlis of Colingtoune, clerk of register, Mr. Thomas Ballenden of Auchnowlishill Justice Clerk and Mr. Henry Balnevis of Salhill thesauer clerk, anent our Soweragne lords letters purchast at the instance of the prowest bailzies counsell and comunitie of the burgh of Elgin againes Alexander Dunbar of Cumnock shereff of Elgin and Forres and his deputs that wher they and ther predicessors hes in all tymes bygane bruikit the friedome and libertie of the said burgh sen thair first fundatioun made to them be King Alexander whom God assolzie lyke as they are yet and the prowest and bailzies of the said burgh ar competent judges to themselves in all actiones concerning the inhabitants of the samyn and is in vse and possessione thairof nottheles the said Alexander Dunbar shereff forsaid and his deputs molestis and daylie inquiets and troubles them and ther nighboures and callis them to his courts for actiones depending betuixt nighbour and nighbour intending him to be judge therto and als calls them and so many of ther nighbours as he pleases furth of ther owne

* The original is of date 1540, but this "double" is apparently of date c. 1677.

jurisdictione to the toune of Forres ten myles distant from them and compells them to make ther vapinshawings befor them and gif they failyie poynds them and takes ther vnlawes lyke as they wer vnder his jurisdictione and sua comitts comone oppressione upon them and of his autoritie will charge ther officers and bailzies to remane in the tolbuith expres aganst justice they haweand jurisdictione as others frie borrowes within the realme hes as at mair lenth is containt in the saidis letters the saidis prowest, bailzies counsell and comunitie compeirand be Mr. Thomas Marjorybanks ther procurator and the said Alexander Dunbar of Cumnock shereff forsaid and his deputs compeirand be Mr. James Makgill ther procurator the lords of counsell decerns and ordains letters to be direct charging the said Alexander Dunbar of Cumnock shereff of Elgin and Forres forsaid and his deputs to desist and cease fra all calling proceiding or vnlawing of the saids prowest bailzies counsell and comunitie of the said burgh but that they may vse ther owne friedome lyke as others borrowes within the realme does conforme to the acts of parliament and borrow lawes and to ther infeftments discharging them therof and of ther offices in that pairt. Becaus the said Alexander Dunbar shereff forsaid and his deput wer chargit of befor to hawe compeired befor the saids lords and shawin ane reasonable caus why the samyn should not be giwin with certificatione to them as efferis and the said Mr. James Mackgill procurator forsaid compeired and shew na caus in the contrair and was clearlie vnderstand to the saids Lords . Extractum de libro actorum per me Alexandrum Hay, clericum rotulorum registri ac consilii s: d: n. regis sub meis signo et subscriptione manualibus . Subscribed thus ALEXANDER HAY.

The troubled state of the town and district a few years before the Reformation is well exemplified in the following extracts from Pitcairn's "Criminal Trials":—

1555, April 30.—*Convocation. Oppressing the Laird of Innes.*

Alexander, Prior of Pluscardin, Mr. David Dunbar, Dean of Murray, Sir Thomas Ross, chaplain and Alexander Dunbar, parish clerk of Raffert were replegiated by Patrick, Bishop of Murray for convocatioun of the lieges and oppressing the Laird of Innes and his servants in the month of January last: Sureties—James Dunbar of Tarbert, and Alexander Dunbar of Cunzie. Gawin Dunbar, Rector of Rosmarkyne and

James Dunbar parish clerk of Cumnok were replegiated by the Bishop of Ross, the Archbishop of Glasgow, &c.

Convocation.—Sacrilege.—Invading the Prior of Pluscarden, &c., in presence of the Holy Sacrament. Hurting and Wounding.

May 2.—Willam Innes of that ilk and thirty two others (including James Innes of Monbenys, John Innes, brother of James Innes of Dranye, Andrew, son of James Innes of Lewcharis, Andrew Innes, alias "Cow the jegat" and Andrew Innes called "the Scolar") found John, Lord Borthuik surety for their underlying the law at the next aire of Elgin and Forres for convocation of the lieges to the number of eighty persons armed in warlike manner and coming within the cathedral church of Elgin during vespers and there cruelly invading Alexander, Prior of Pluscarden, Mr. David Dunbar, Dean of Murray, Alexander Dunbar of Conze, James Dunbar of Tarbert and sundry others of their friends for their slaughters in presence of the Holy Sacrament and also hurting and wounding James Dunbar, son of the Laird of Tarbert and Alexander Swyne in sundry parts of their bodies: committed upon ancient feud certain purpose and forethought felony on January 1st last and for other crimes contained in the Letters.

Feud between the Dunbars and Inneses, &c.—James Dunbar of Terbert, David Dunbar of Bennagefeild Jasper Wause of Lochslin and ten others found surety to underly the law at the next Aire of Elgin and Forres for convocation of the lieges in warlike manner to the number of sixty persons under silence of night and coming to the Cathedral Church of Murray and there invading William Innes of that ilk and his servants for their slaughters on January 1st last committed upon ancient feud, forethought felony certain purpose and provision.

The Earl of Haddington's MS. Collections (Adv. Lib.) furnish a copy of the proceedings of the Justice Aire of Elgin and Forres held and begun at the burgh of Elgin on Monday, 17th August, 1556, before John Erskine of Dun, Justice Depute. This Aire terminated on 17th October, 1556, being the twenty-first day of the sittings. The cases tried at this assise were mostly of a trivial character. The following is interesting:—

"Proclamatio

"We command and charge in oure sowerane ladeis name hir darrest moder the Quene Dowariare and Regent of hir realme and hir Justice-Principall and his Deputtis heir present: That na manner of persone or

persones cummand to this present Justice-Aire remanand thairat or passand thairfra invaid ony of thame vtheris ather for auld Feid or new, wnder the pane of deid: And that na maner of persone nor persones beir vther wappinnis bot schort knyffis at thair beltis except the Justice Scheref, Crowneris and thair deputtis, officiaris, houshold and servandis vnder the pane of escheitting of thair wappinis and pvneissing of thair persones wairding or vtherwayes at the will of our sowerane ladeis darrest moder and Justice. And that all maner of victuallis be brocht to the mercat and sauld for reddie money for the prices following; and that na prices thairof nor zit the lugeing, bedding stabulling or vtheris quhatsumevir asiamentis and necessaris for lugeing and furnessing of our sowerane ladeis leigeis be rasit or hichtit vpone thame; bot that the samen be sauld and furneissit of the pryces following That is to say the laif of guid sufficient quheit breid for sustentation of the Quenis Majesteis

Houshald and remanent nobill men of xxii vnces wecht	iiij d.
The pynt of Burdeous vyne	xii d.
The pynt of fine Scherand or Amzerk vyne . .	x d.
The quairt of guid aill to be sauld for . . .	viii d.
The best mutton bowik for	vi s.
And vther nocht sa guid to be sauld vnder that pryce as it is of availl	
The pryce of ane guiss	xviii d.
The muirfoull	iiij d.
The capone to be sauld for	xii d.
The peiss of pultrie	vi d.
Gryt chikkinis	iv d.
The gryse	xii d.
Four eggis for	1d.
The kid for	ij s. iiij d.
The carcage of the best beiff to be sauld for. . .	xxxvj s.
And vtheris wnder vpone smallar pryces as it is of availl	
The peck of horse corne that is guid . . .	viij d.
The threafe of fodder	viij d.
The pund of candill of the fynest and fairest saif for	viij d.
The leid of peittis.	ij d. ob.

And that thair be guid cheir throw all the toune for gentillmen and thair

servandis for xii d. at the melteithe [each meal, at the principal meal-tide or dinner]. The furneist bed on the nycht and that to freithe the chalmer iiij d. [to be the whole charge of the apartment]. The stabill fie for ane horse xxiiij houris 1d. Vnder the pane of confiscatioune of all the guidis of the brekeris thairof. And that nane of oure souerane ladeis leigis tak vpone hand to eitt distroy or stramp doune ony growand cornes with thair horssis or oppinlie or privatlie to carry or tak away ony schorne coirnes and scheves of the fieldis, with certificatioun to the awnaris of the said horse that it salbe lesum to the awnaris of the saidis coirnis to tak and hald the saidis horssis quhill thay be payit for the first falt x s. the secund falt xx s. and the thrid falt the samin salbe escheittit to our souerane ladeis vse. And in lykvaise we command and chairge all maner of persones that nane of thame tak vpone hand to scheir ony growand coirnis with certificatioune to thame and thay do in the contrair it salbe lesum to ony persones to tak and apprehend thame with the saidis coirnes and bring thame to oure souerane ladeis Justice to be pvneist with all rigour conforme to the lawis and conswetud of this realme. And gif ony persone or personis brekis this present Proclamatioun thay salbe callit in this present Justice Aire thairfoir and for commoun oppressouris of our souerane ladeis pure leigis thairthrow and pvneist thairfoir to the rigour. And ordanes the Provest and Bailzeis of this burche to searche and seik the brekeris of this Proclamatioun and bring and present thame to the Justice that they may be puneist for thair demereittis as accordis."

On 31st August, 1556, the Magna Assisa or Grand Jury of Elgin and Forres—twenty-nine in number—included "William Innes de eodem, Alexander Cumming de Ernisyde, Alexander Sutherland de Duffus, Joannes Annand in Elgin, Andreas Sutherland de Greifschip, Dauid Dowglass de Erlismyll, Mr. Alexander Dowglas, prepositus de Elgin, Joannes Innes, senior, in Elgin, Joannes Hay de Park, Wilelmus Cuming, Wilelmus Auldcorne, Wilelmus Gadderare, burges de Elgin, Alexander Dunbar de Cumnok," &c.

1556, September 2nd.—Alexander Dunbar of Cumnok, Sheriff of Elgin and Forres, found James Dunbar of Tarbet cautioner for him under the pain of 1000 merks to appear before the Queen at Aberdeen on 26th September instant.*

* The *Diurnal of Occurrents* states that in July, 1556, the Queen Regent "held justice airis in Innernes and thairfra in Elgine and thairfra in Banff and thairefter in Aberdene."

On 24th November, 1554, Alexander Dunbar of Cumnok, Patrick the young laird of Cumnok and thirty-four others were put to the horn for the slaughter of James Cummyng in Dollacebrachty, son of Alexander Cummyng of Altyre. Sir Alexander Duf, chaplain, was repledged by the Bishop of Murray.

On 12th March, 1560-1, James Hay of Mayne, Alexander Guthrie in Elgin and seven others burgesses of Elgyne were delated before the Lords for convocation of the lieges to the number of eight score on the eighth day of January last, and for setting upon Alexander Robertson in Pittendreich and others tenants and servants to Elizabeth Douglas, Lady of Pittendreich, and hurting and wounding them to the great effusion of blood. They compeared not and were denounced rebels.

References to Elgin in "Exchequer Rolls of Scotland" (1365-1560).

Few burghs in Scotland will search that important series of volumes published by Government, "The Exchequer Rolls," without finding therein interesting and valuable information regarding their ancient history. The relation of Elgin as a burgh to the Crown in ancient times was not favourable to frequent reference in the "Exchequer Rolls," and, so far as these Rolls are concerned, the existence of Elgin as a burgh would frequently not even be surmised. It is interesting, however, to cull such information as they contain.

In 1365, the Countess of Moray had her terce from the customs of Elgin and Inverness, the whole of which had belonged under the charter of the Earldom to Thomas Randolph and his two sons. The Chamberlain of Scotland received from the custumars of Elgin between the years 1367 and 1370 on an average the sum of £119 5s. 6d. yearly. This custom was payable mainly from wool, skins and hides at the port or ports of Elgin. The receipts from customs on export for one year may be given:—The account of Richard Johnson and Thomas Byset, custumars of Elgyne, from 12th January, 1368, to 16th January, 1369, £83 11s. 1d. from the custom of 6 lasts 2 sacks and 16 stones of wool; £3 10s. from the custom of 530 skins; and £29 1s. 4d. from the custom

of 10 lasts 18 dacres of hides.* No accounts of the custumars of Elgin exist for many years after 1377, and when they reappear the customs are much contracted in bulk.

An account of the custumar of the salmon of Elgin was rendered in April, 1429, and shows £42 as the custom from the date when the payment of said custom was appointed, arising from 9 lasts and 6 barrels salmon, Hamburg measure, and 9 lasts and 8 small barrels of salmon.† The custumar points out that as the Earl of Moray would not allow him to exact this custom from the men of Moray, the custom shown was derived only from Englishmen and foreigners.‡

The customs of Forres and Elgin for the year 1430 amounted to only £12 8s. 11d., mostly contributed by wool and hides, but including woollen cloth, also the sum of 4s. 8d. for the custom of the skins of 17 stags, 50 foxes, and 20 roedeer.§ The next extant account is for the burghs of Elgin and Forres, for a period of nearly two years preceding July, 1435, but the custom amounts to only £18 9s. 9d. in new money, and arises from 3 sacks 6 stones of wool, 32 woolfells, 3 lasts, 17 dacres, 5 hides, and some woollen cloth shipped in two vessels at the port of Fyndarne.

The accounts of 1459 tell of a visit of King James II. to Ruthven in Badenoch, and to Kinloss and Aberdeen, and in 1460 they refer to an intended but unaccomplished journey to the north, for which great preparations were made: "pro cariagio de le maschfat de Elgin ad Invernys vs. vid.," while 19 chalders of coals (carbonum) were prepared for the King at Inverness at a cost of 10s. per chalder. But the King was killed on Sunday, 3rd August, 1460.

In 1460 it appears from the accounts that a chaplain in the castle received two merks from "le Greyfschipe de Elgyn," besides eight merks he received from the lands of Pittendreich.

The accounts of 1460 show that 7s. was paid to two persons to go with letters to Elgyn, Kyndromy, and various other places, to counter-

* 24 stones = 1 sack; 10 sacks = 1 last of wool; 10 or 12 hides = 1 dacre; 20 dacres = 1 last.

† The Hamburg barrel paid 5s. custom, the small barrel 2s. 6d. Prior to 1466 the duty on salmon at Aberdeen was 2s. for Hamburg barrel, but in 1466, by Order of Council, it was assimilated to that of other ports, viz., 3s. a barrel.

‡ An Act of Parliament of 1424 imposed a duty of 2s. 6d. per pound value on salmon "bocht be strangeris and had out of the realm," but an Act of 1426 declares the custom to be payable by indwellers in the realm as well as by "fremmyt men."

§ The rates fixed by Act of Parliament were 6d. for each ten tod skins, and 4d. for each ten "dais and rais skynnis."

mand the arrangements for the king's hunting. Also 10s. paid for expenses of masons and carpenters who went from Elgin to Inverness to repair certain houses against the arrival of the king. The following entry shows us how the king, when he resided in the manse of Duffus, thus implying that the castle on Ladyhill was not then of much account, built a kitchen to the said manse, the cooking arrangements of the manse being apparently unsuitable for a king; how there were bought for the king, while he stayed there, stock-fish and peas, and how, when the master of the house, the rector, Master David Stewart, was abroad, the house took fire and was burned down, and the king had to look out for other lodgings:—

1458. "Pro fabrica coquine pro domino rege in manso de Duffous infra collegium cathedralis ecclesie de Elgin 40s. Et allocate eidem pro piscibus qui dicuntur stokfisch et tribus bollis pisarum emptis per compotantem ad expensas domicilii domini regis et combustis in manso compotantis tempore residencie sue extra regnum, domino rege residente in dicto manso de Dufhous 4 li. 15s. Et pro una celdra et una bolla salis albi de granario emptis per compotantem a Johanne de Camera de Elgin pro lardaria domini regis facta in dicto manso de Dufhous 3 li. 8s. Et pro viginti bollis salis albi emptis per compotantem a magistro Ricardo Forbas ad eandem lardariam precium bolle quatuor solidi 4 li. Et pro septem martis emptis per compotantem a collonis de Ardmanach cum coriis ad eandem lardariam cum cariagio et sumptibus manancium et locatis ut asserit compotans in dicta lardaria 5 li. 3s. 4d." (Vol. VI., p. 483.)

In view of the long and close connection of the Earls of Moray with the burgh of Elgin in former times, the following notes from the Preface to Vol. VI., p. cxxxiii., "Exchequer Rolls," will be found interesting and valuable:—The territory erected by Robert Bruce into an earldom in favour of his nephew, Thomas Randolph, comprised the larger part of the modern counties of Elgin, Nairn and Inverness. The burghs of Elgin, Forres and Nairn were expressly granted, reserving the liberties of the burgesses, who were to hold of the Earl instead of the King. The Earldom of Moray bestowed by Robert II. on his son-in-law, John Dunbar, in 1372, was rather more limited in extent. Earl John was succeeded by a son and grandson, and then by another grandson, son of his younger son, Alexander Dunbar of Frendraught. This last Earl

James, who died near the end of the reign of James I., had two daughters, Janet, wife of the eldest son of Chancellor Crichton, and Elizabeth, who married Archibald Douglas, third son of the seventh, and brother of the eighth and ninth Earls of Douglas. In terms of the investiture, the Earldom would have been inherited by the elder sister Janet, but we in the first instance find the husband of the younger sister, Archibald Douglas, designed, whether in his own right or his wife's, Earl of Moray, 1449, 1451 and 1453 (in the last case the name may have been merely transcribed from the former documents). The death of William, Earl of Douglas, by the king's hand in 1451-2, led to open hostilities between the king and the Douglases, and at the Parliament of June, 1452, Sir James Crichton, husband of the elder sister, was "belted" Earl of Moray. The Earl of Douglas's submission was on 28th August following, and his brother seems at the same time to have repossessed himself of the Earldom of Moray, though not without his right being disputed. On 12th May, 1453, Archibald Douglas, Earl of Moray, is included in a safe conduct to his brother, but James, Lord Crichton, is called Earl of Moray in the Exchequer Accounts, July, 1454, and after his death in 1456. But the actual possession of the Earldom seems to have continued throughout with Archibald Douglas, who fell at Arkinholm, 1st May, 1452. Nineteen days after Arkinholm his widow, Elizabeth Dunbar, agrees to marry the Master of Huntly (the common genealogies make her his niece, but the editor doubts if Lady Janet Gordon was her mother), but the marriage was dissolved for attainder being pronounced against Archibald Douglas, her possessions were escheated, and the King bestowed the Earldom on his infant son, David. The Countess married (3) Sir John Colquhoun of Luss.

The issues of the Chamberlain ayre in Elgin in 1435 amounted to £3 6s. 8d. No Exchequer accounts are extant for Elgin, Forres or Nairn for the period 1437-1454.

Mr. David Stewart, the King's Chamberlain north of Spey, charges himself in his accounts for the period 10th February, 1455-6, to 22nd September, 1456, with eight pounds from the lands of the Greveschip of Elgin, 3s. 4d. from the lands of Schetingacres, 3s. 4d. from Lynthalch, and 5s. from the eight crofts of Elgyn. The accounts for 1456 show a yearly payment of 40s. from the fermes of the burgh of Elgin, in terms of the foundation of Alexander II., to a chaplain in the cathedral church

of Moray to pray for the soul of King Duncan, and also a payment of five pounds from the same source to the chaplain of the Blessed Virgin Mary in the chapel of thc Castle of Elgin. The latter chaplain was also paid yearly the sum of 3s. 6d. from the "acres of Elgyn" for bread, wine and wax.

The Chamberlain's account for the period from Whitsunday, 1456, to 10th July, 1457, contains the following entry: "allocate compotanti pro amphoris, pipis, ciphis et aliis vasis ligneis emptis per eum ad usus domini regis et repositis in mansione sua pro domino rege et combustis ibidem tempore quo dominus rex fuerat ultimo apud Elgyn 40s."

The King spent a great part of the years 1457 and 1458 north of Spey, chiefly at Kinloss, Spynie, Elgin and Inverness. He was present during that time at Justice Ayres in Elgin and Inverness, and was resident for some time in the manse of Duffus within the College of Elgin.

In 1459, Thomas of Carmichael and Lord Glammis came to Elgin to let the King's lands, and about the same year it is recorded that ships took corn from Fynderin and Lossy to the port of Leith. In early times wheat and salmon was mostly exported to Leith from this district. The "Ledger of Andrew Halyburton (1492-1503)," shows that salmon was also exported at that period to the Netherlands from Elgin, the chief place of export being, however, Aberdeen.

The Chamberlain of Moray, James Douglas, charges himself with eight pounds, being the whole rents of the burgh of Elgin from 4th October, 1466, to 8th June, 1467.

In 1476, James Douglas, cústumar of the burghs of Elgin and Forres, charges himself with twenty pounds, being the custom of salmon carried beyond the kingdom for two years past. What the custumar accounts for the following year is the custom of 13 dacres 8 hides, £1 16s. 8d., but for the year ending 18th July, 1478, he charges himself with 10 dacres hides (£1 6s. 8d.), and 11 lasts 4 Hamburg barrels salted salmon, £20 8s. Total, £21 14s. 8d. Next year, 24 lasts of salted salmon were exported, and of that number the custom of 7 lasts was remitted to Thomas Tod, moneyer, to release the King's silver articles out of pawn. In 1478, salmon were ordered to be packed only in barrels of Hamburg measure (12 barrels = 1 last), and in 1487 it was ordained that each barrel should contain 14 gallons. For the year ending 27th July, 1480, 15 lasts

6 barrels of salmon, Hamburg measure, were customed at the burghs of Elgin and Forres, and carried beyond the kingdom. In 1485, the Chamberlain of Moray charges himself with 15s. 7d., "de firmis novem croftarum de Elgin," "et de 13 li. 6s. 8d. de Grefschip de Elgin que sunt firme burgales dicti burgi." The burgh fermes remained unchanged in 1493, but appear in 1501, perhaps by mistake, as 13 li. 11s. 8d. It is noted in the "Rolls" about this time that James Douglas of Pittendreich "has had and exersit the office of Chaumerlanery of oure lordschip of Murray this lang tyme bypast."

Sir James Dunbar of Westfield was custumar of Elgin, Forres and Inverness, and all he has to account for from these burghs in 1502 was of hides 1 last 17 dacres 5 hides (£5), and 14 lasts 11 barrel salmon (£35 16s.). Total, £40 16s. The custom of 3000 cod in the year 1504 amounted to £3.

The expenses for the provision of the king at Elgin, Forres, Inverness and Darnaway appear in the account of Walter Ogilvie of Boyne, Chamberlain of Moray, of date 7th August, 1502. The expenses of the king in Elgin, Inverness and Dingwall in October, 1503, amounted to 24 bolls wheat, although the king "minime remansit in dictis locis." Included in the expenses of the king's house in Elgin prior to 9th July, 1504, is the following: "2 marte 2 quarteris 2 mutones unacum quinque duodenis pultriarum." Also 11s. for wild birds bought for the king's house in Elgin, also the custom of 3 lasts 6 barrels salmon of the fishing of Spey let to the burgesses and community of Elgin.

The accounts of the Chamberlain of Moray for the year preceding July, 1508, contain payments as before, viz., 40s. to a chaplain to pray for the soul of King Duncan, five pounds to the chaplain in the castle, these payments being both from the fermes of the burgh, also 3s. 6d. to the latter chaplain from "the acres of Elgin" for bread, wine and wax, also the customary payment to the Mair of Elgin.

There were also paid to the "husbandi" of Elgin and Forres for 9 marts and 16 sheep as expenses of the king on his pilgrimage to St. Duthac; two chalders wheat to the Friars Preachers; 10 bolls to the Friars Minorites and for expenses of the King at Dernway and Elgin in the time of his pilgrimage to St. Duthac; and 10 bolls barley to the Friars of the Observance at Elgin.

19th July, 1509, to 2nd August, 1510: Expenses of the King and Queen at Elgin when they went towards St. Duthac last Pasch, £7 12s. 10d.; malt for the provision of the King and Queen in March, 1509, in Elgin when they came to the North, extending to 24 barrels ale —2 chalders 10 bolls 2 firlots barley. The price charged for a sheep was 12d., and for a mart 4s. 6d. to 5s.

Two Crown Commissioners—Andrew, Bishop of Caithness, treasurer, and Archibald, Earl of Argyle—came to Elgin, and on 8th June, 1511, granted tacks for five years of the possessions of the Earldom of Moray, including the greifschip of Elgin, set for £13 6s. 8d., of which it is said, "clamatum in feodifirma per burgenses et communitatem de Elgyne et assignatur ipsis decimus quintus dies Julii proxime futuri ad ostendendum eorum infeodationem in scaccario aut solvere firmam in margine cum 20 marcis de grassuma."

The payments made for the year 1514 are similar to those for 1508 (*supra*). They include from the greifschip of Elgin and to the chaplain celebrating in the chapel within the castle of Elgin, ten merks from the lands of Pettindreich and greifschip by foundation of James Dunbar, Earl of Moray; to the Bishop of Moray for the site of Schirefmyll in terce of Duffus and annual rent of Caldcottis, 33s. 5d.; to the mair of Elgin, a hereditary office, £2; to the Friars Preachers of Elgin, two chalders wheat; and to the Friars Minorites, 10 bolls wheat and 10 bolls barley.

It is noted in the "Rolls," under the year 1522, that the reddendo of the lands of Burdsyards is the supplying a horse to the King when he rides from the burgh of Forres to Elgin Castle.

The non-appearance of Elgin in the "Exchequer Rolls" is thus explained *sub* 1523:—It is to be noted that the baillies of Elgin and Forres did not render an account of burghal fermes for many years before Flodden, nor even yet, which burgh fermes belonged before said battle to the King, and now after said battle the said fermes belong to the Earl of Moray by infeftment made by James IV. to the said Earl, his natural son, as appears by letter under the Great Seal (propterea ballivi dictorum burgorum minime veniunt onerandi post dictum bellum de dictis firmis).

This also explains why no payments appear in the "Rolls" as made to the Friars and others about this time.

There is no appearance of Elgin in the "Exchequer Rolls" from 1529 to 1555. In October of the latter year the account of the bailies of the burgh was rendered at Edinburgh by William Gadderar for the preceding twelve months, as follows:—

Charge:—Burgh fermes by feu charter, £13 6s. 8d.

Discharge:—To chaplain in Cathedral Church of Moray, 40s.; to Comptrollers, £11 6s. 8d. Sum, £13 6s. 8d.

The account of the custumar of Moray and of the ports of Findhorn and Spey from 22nd September, 1555, to 16th December, 1556, is as follows:—

Charge:—Custom of 100 woolfells, 13s. 4d.; of 300 schorlings, 20s.; of 2 lasts 7 dacres hides, £6 5s. 4d.; of 4500 cod, £9; of 116 lasts 2 barrels salmon, £326 16s. Sum, £343 14s. 8d.

One cannot but watch with interest the entries, especially those of an ecclesiastical character, in the "Exchequer Rolls" immediately before the Reformation. The date usually assigned to the Reformation is 25th August, 1560, but a year or two before that date ominous signs begin to appear in the "Rolls" such as payments that were formerly made out of customs or burgh maills to religious houses, now ceasing to be paid thereto, and thus falling to the Crown.

In 1557 the sum of 40s. was paid as usual to the chaplain in the cathedral, but there are no entries referring to the chaplain in the castle, &c. The account of the custumar of Moray rendered in 1558 for one year and seven months shows a total charge of £705 15s. 4d., consisting of £701 as the custom of 252 lasts 1 barrel of salmon customed at the ports of Spey and Findorne; 5s. 4d. of 2 dacres hides; £4 10s. of 7 lasts 6 barrels cod.

William Ogilvy, Chamberlain of Murray, for the period December, 1556, to September, 1558, made the following payments: to five chaplains in the chapel of St. Thomas the Martyr in the Cathedral Church of Moray, by the foundation of Thomas Ranulph, Earl of Moray, and confirmation of King Robert I., £23 13s. 4d. yearly; to Sir Thomas Barclay, chaplain, £10 yearly, his pension by old foundation; to the Friars Preachers of Elgin, by ancient royal gift, 4 chalders wheat for the two years; to the Lesser Friars of the Observance of Elgin, 10 bolls

wheat yearly allowed by the King is for the period of the account 1 chalder 4 bolls; and also to them, 10 bolls bear annually for the period of account 1 chalder 4 bolls.

Account of the baillies of the burgh of Elgin from 6th August, 1558, to 2nd September, 1559:—Charge, £13 6s. 8d. burgh fermes by feu-charter. Discharge, To chaplain in the Cathedral Church of Moray, 20s., to comptroller, £11 6s. 8d. Sum, £13 6s. 8d.

Account of Alexander Anderson, custumar of Murray, from 3rd October, 1558, to 10th September, 1559:—Charge, 53s. 4d. custom of 400 woolfells customed at the pòrts of Spey and Fynderne; 40s. of 600 schorlings; 3s. 4d. of 200 gaitskynnis; £341 8s. of 122 lasts 3 barrels salmon. Sum, £346 4s. 8d.

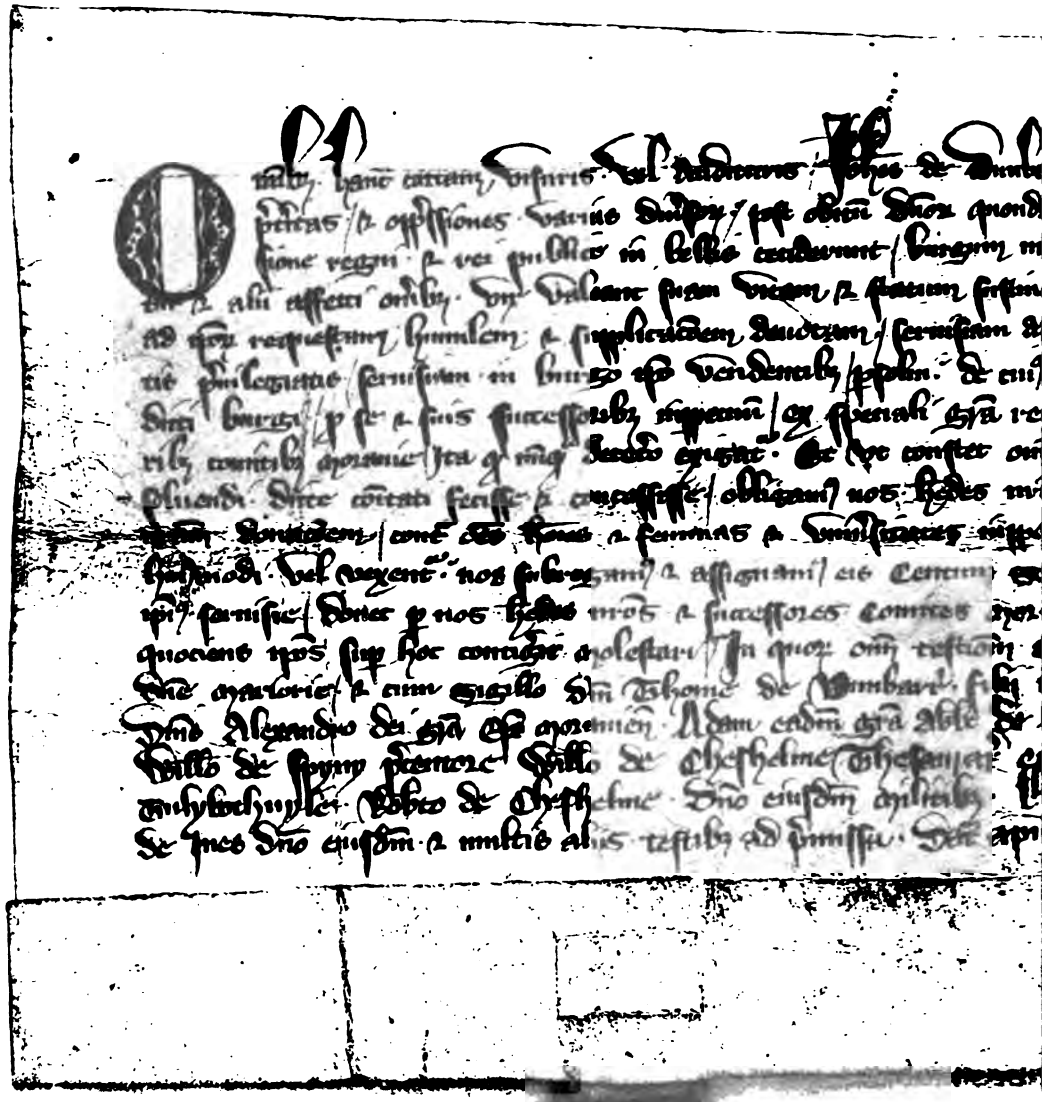
Account of the baillies of Elgin from 2nd September, 1559, to 5th November, 1560:—Charge, as before, £13 6s. 8d. Discharge, To comptroller, £11 6s. 8d. Balance, 40s. Henceforth there are no payments to the chaplains.

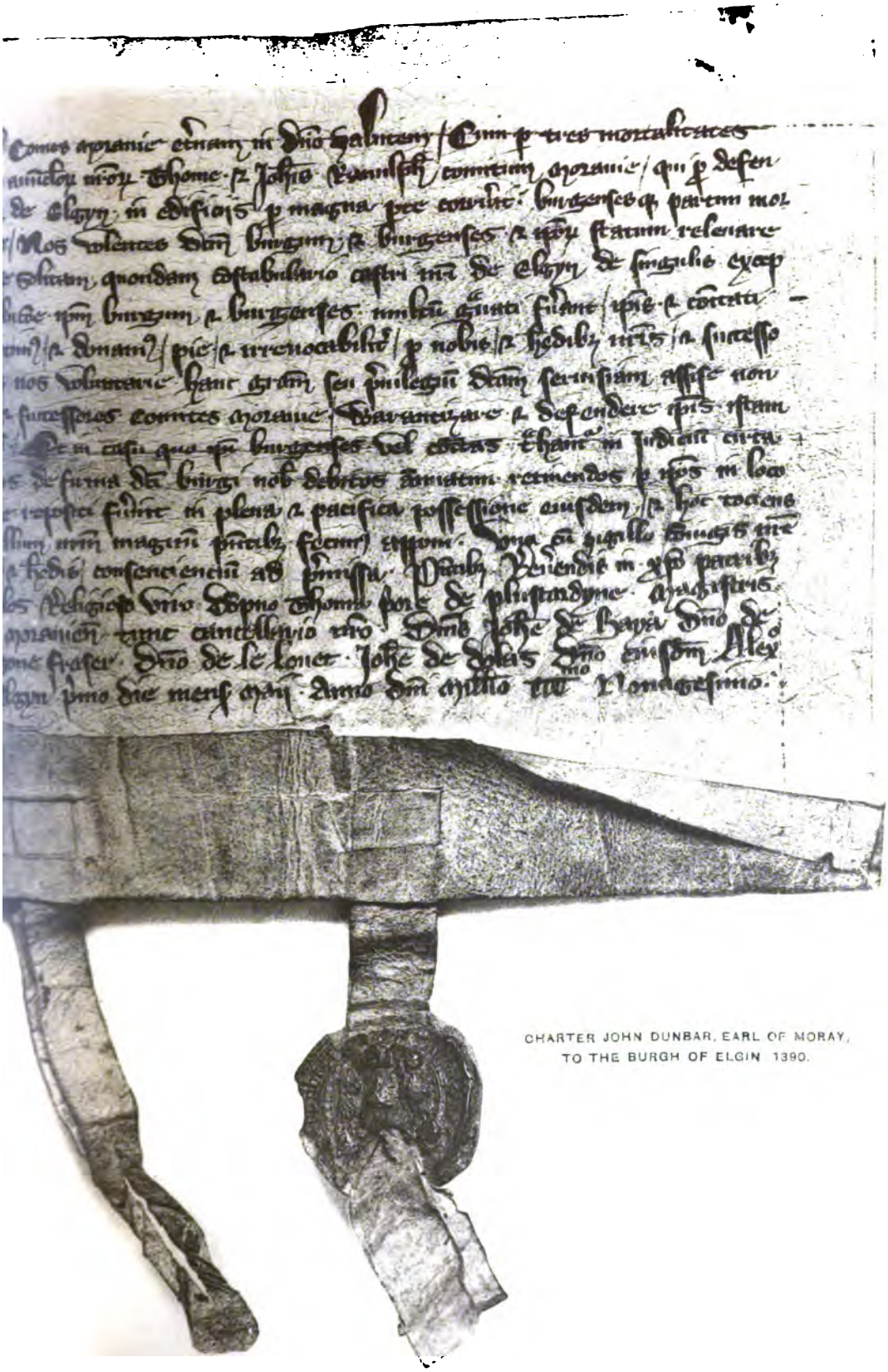
The Chamberlain of this time does not appear to have been very punctual in making payments, as the following entry shows:—

At Edinburgh, 27th September, 1558, Compeared before the Lords of Council William Ogilvy of Alaneboy, chamberlain of Murray, and became bound to pay to Friar John Black, Preacher, conform to the comptroller's precept, direct to the said William Ogilvy, the sum of £20 within twenty days, under the pain of rebellion and putting to the horn.

The following petition is written at the end of the "Exchequer Roll," with the account of the baillies of Elgin for the period from 24th October, 1561, to 8th November, 1562. It belongs, however, to the period of Murray's regency:—

"My Lord Regent: Unto your grace humlie menis and schawis the provest and baillies of the burgh of Elgyn, that quhair we ar detbund to your grace in tuentie markis of yeirlie dewtie callit greveschip males to the Erledome of Murray, quhairof we maid payment to your grace predicessouris, erles of the said erledome for the tyme, and had no forder charge nor cummer thairfor nothair in the chakker, nor utherwys, and the said erledome cumand in the quenis grace handis we maid payment of the said sowme yeirlie in the chakker quhill your grace wes promotit to the said erledome, and sen syne have maid payment thairoff yeirlie to





CHARTER JOHN DUNBAR, EARL OF MORAY,
TO THE BURGH OF ELGIN 1390.

your grace and chalmerlanis; bot nevertheles ar burdenit to compeir yeirlie in the chakker thairfor and gif compt thairof and tak allowance of the samin upone your chalmerlanis acquittanis, albeit of before in your predicessouris tymes we had na forder cummer nor travaill bot onlie to mak payment at hame to the chalmerlane, quhilk is far utherwys now, and drawis ws yeirlie to grete cummer and travaill to compeir yeirlie in the chakker and tak allowance of our payment maid at hame, as we never usit in ony erlis tyme of befoir and thairfor now in your grace tyme aucht and suld of equitie be relevit of that yeirlie travell and cummer to the chakker, we having na uthir thing ado thairin bot that onlie dewitie; beseiking heirfor your grace in consideratioun of the premissis to caus the lordis of chakker deleit our oneratioun of the said sowme furth of the rollis sua that we be nocht contrynit to anser forder in the chakker thairfor in tyme cuming, according to equitie and ressone; and your grace anser humlie we beseik. Apud Edinburgh, ix° Januarii, anno 1567.—Ordanis the lordis auditouris of the chekker to deleit the charge withinwrittin furth of the rollis or than to report sum resonable caus to his grace quhy the samin suld nocht be done.—JAMES Regent."

In respect of this deliverance and ordinance the lordis of the chekker ordanis to deleit the calling of the baillies of Elgin for their burrow malis in tyme cummyng. Clericus registri.

References to Elgin in the Register of the Great Seal (1306-1560).

The earliest reference to Elgin in the Register of the Great Seal is of date 5th January, 1362, when David II., who was then at Spynie, ratified a grant made by Patrick, Earl of March and Moray,* to William de

* "Patrick, tenth Earl of March, signed the letter to the Pope, asserting the Independency of Scotland in 1320. He married Agnes, daughter of Thomas Randolph, Earl of Moray, Governor of Scotland, sister and at last sole heiress of John, Earl of Moray, and in her right he was afterwards designed Earl of Moray. He was chosen Governor after the death of Thomas, Earl of Moray" (Douglas's *Baronage*). The elder brother of the aforesaid Agnes, Thomas, second Earl of Moray, held the title only twenty-three days, having been killed at the Battle of Dupplin, 12th August, 1332. Her younger brother, John, third Earl of Moray, was killed at the Battle of Durham, 17th October, 1346. Agnes, Countess of Dunbar and March, then succeeded her brothers, having left no issue. Sir David Lindsay in his *Heraldry* states that Vaus was "one of the surnames of thame that came furth of Ingland with St. Margaret," the wife of Malcolm Canmore.

Vaux or Vaus, of the offices of Sheriff and Constable of Elgin:—

"Carta Domini Willielmi de Vallibus. Dauid dei gracia Rex scottorum Omnibus etc. Sciatis nos approbasse Ratificasse etc. donacionem et concessionem illam quas Patricius Comes Marchie et Morauie fecit et concessit Willielmo de Vallibus de officiis vicecomitatus et constabularie de Elgine cum eorum pertinentiis vniuersis Tenend. et habend. eidem Willielmo et heredibus suis in feodo et hereditate adeo libere etc. Sicut carta siue litere predicti Comitis predicto Willielmo de dictis officiis factae in se plenius iuste continent et proportant saluo seruicio nostro . . In cuius Rei etc. Apud spÿnÿ quinto die Januarij. Anno Regnj nostri xxxiij°."

On 20th April, 1367, David II. at Edinburgh ratified and confirmed a charter of King Alexander III., whereby the latter King at Kintore on the 29th March, 1285, less than a year before he met his death near Kinghorn, granted to the Black Friars of Elgin two chalders of wheat, two chalders of barley, and one chalder of malt yearly from the fermes of the bailliary of Elgin.*

Robert II. granted to John, Earl of Moray,† for good service done and to be done to the King, the sum of one hundred pounds sterling yearly from the great custom of the burgh of Aberdeen, to be held by the said Earl and his spouse, Marjory, daughter of the King, and their heirs, in fee and heritage, the reddendo being a pair of gilt spurs. The King afterwards, on 6th January, 1385, substituted Elgin and Forres for Aberdeen in the aforesaid grant, so that thereafter, as he intimated by letter of same date to his son, the Duke of Albany, Chamberlain of the Kingdom, the said grant was directed to be paid furth of the customs of the burghs of Elgin and Forres.‡

* See Appendix H.

† "John Dunbar, younger brother of George, Earl of March, or Dunbar, being 2nd son of Sir Patrick Dunbar by Isabel, youngest of the two daughters and co-heirs (her issue before November, 1368, becoming sole heir) of Thomas (Randolph), 1st Earl of Moray, having married (dispensation, 11th July, 1370) the Lady Marjory Stewart, daughter of King Robert II. by his first wife Elizabeth, daughter of Sir Adam Mure, obtained a charter of the Earldom of Moray from the king, his father-in-law, 9th March, 1371-2, to himself and his said wife for life, they becoming thereby Earl and Countess of Moray, with remainder, failing the heirs procreated between them, to his heirs whatsoever." (*The Complete Peerage*, by G. E. C.)

‡ See Appendix I.

1464, August 16th.—The King confirmed two charters of William, King of Scots, conferring certain privileges on the burgesses of Moravia.

1475, December 4th.—The King granted a letter of Lieutenancy to Alexander, Earl of Huntly, over the counties from Kincardine to Inverness.

1477, November 22nd.—The King granted to James of Douglas and his heirs certain lands in the Lordship of Moray, he paying, inter alia, the sum of £5 6s. 8d. yearly from the lands of Pittendreich to a chaplain, of old foundation, on the Castle Hill of Elgyne.

1501, June 12th.—The King granted to James Stewart, begotten of himself and Janet Kennedy, daughter of John, Lord Kennedy, the lands and earldom of Moray, and the burgh fermes and customs of the burghs of Elgin and Forres, the castle of Dernway and other castles, and the fishings of the waters of Spey, Fyndorn, Slewpule and Lossy.

1507-8, January 24th.—The King granted to his servitor, Andrew Marser, and his heirs and assignees, two tenements of land with houses on the south side of the burgh of Elgin, in so far as they were the property of the King by escheat, the deceased Sir William Birnay, chaplain, vicar of Arndull, bastard, having died without lawful heirs. The King likewise granted to the said Andrew all the said William's goods.

1508-9, January 2nd.—The King granted to William Ogilvie and his assignees the lands, &c., within the burgh of Elgin which came to him by reason of the bastardy of the deceased James Innes without lawful heirs.

1510, August 10th.—The King confirmed a charter of James Dunbar of Conze, whereby he sold to Alexander Gaderar, burgess of Elgin, and Isobella Sclatare, his spouse, the lands of Aldcasch.

1527-8.—The King granted eight charters at Elgin, viz., on 19th, 22nd, and 24th February, and on 3rd and 4th March.

1530, November 22nd.—The King granted, "apud Elgin," a charter to James, Earl of Moray, and Elizabeth Campbell, his spouse, of the lands of Haltoun of Lambride, &c., with fishings on Spey, which the said James resigned.

1528, September 6th.—The King granted to his brother James, Earl of Moray, his heirs and assignees, the third part of the lands of Duffus, the lands of Pettindreich, Caldcottis, Darcle and Serestoun, and the house, tower, tenements and buildings within the burgh of Elgin per-

taining to the King by reason of the forfeiture of George Douglas, brother of Archibald, formerly Earl of Douglas. Reddendo for Duffus a red rose, and for the said house, &c., the service of the burgh, use and wont.

1529, May 11th.—The King confirmed a charter granted by Alexander Gaderar, elder, burgess of Elgin, whereby for the weal of the soul of Isobella, his spouse, he mortified to Master Thomas Gaderare, his son, chaplain, and his successors, celebrating at the altar of St. Duthac, Bishop, in the Parish Church of Elgin, a rood of land with garden and croft on the south side of the burgh for a manse for said chaplain, two acres near the burgh of Forres, on the south thereof, near Hawthornhill; 2s. of yearly rent from the east land of William Douglas, senior, burgess of Elgin, on the north side of said burgh; 8s. from a rood of land of Alexander Gaderare, junior, there; 10s. from a rood of Alexander Crane, there; 10s. from John Scherare's land near Carsmannis-wynd; 5s. from a rood of land of James Brebinar there; 10s. from a rood of the said William Douglas there; 24s. from two roods of Thomas Baldon there; 14s. from the land of Alexander George there; 12s. from the land of Alexander Duf there; 8s. from the land of David Andersone there; 6s. from the land of John Rob there; 13s. from a rood of the said Alexander George there; 2s. from the land of John Smyth there; 5s. from a rood of land of the said Alexander Gaderar, possessed by Alexander Hay, on the south side of the said burgh; 5s. from the land of Margaret Dunbrek, spouse of Alexander Cattoure, there; 4s. from a rood of William Coupar there; 2s. from a rood of John Allan there; 5s. from the land of the said Alexander Gaderar on the north side of said burgh; 6s. from the land of Andrew Tulloch, burgess of Forres, on the north side of said burgh. (This charter gives the following names of adjoining owners: Wil. Browne; Muriel Petirkin, widow; Sir Robert Fleschar, vicar of Edinkelye; Wil. Gaderare, son of the granter; Tho. Young, burgess of Elgin; —. Forsy, senior; Pat. Grant; Isabella Douglas, relict of Robert Pedder; David Thomson; Andrew Forstare; John Watsone; John Wylky; Janet Murray, relict of Alexander Gaderare, cousin of the granter; Wil. Thomson; Euota ——, relict of Andrew Robertson; Edward Watson; James Raper; Sir Thomas Hay, chaplain; James Douglas in Elgin; James Uchard; William Urquhart of Burrisyardis; John Donaldson, heir of Thomas Donaldson; and Andrew Broune in Forres.)

1542-3, March 18th.—The Queen granted letters of legitimation to John Barbour, inhabitant of the burgh of Elgin, son natural of the deceased Sir George Carnquhin, to William Birnay, son natural of the deceased Sir William Birnay, chaplain, and to Thomas Cumyng, son natural of the deceased William Cumyng, bastards.

1543-4, March 20th.—The Queen gave letters of legitimation to John Dunbar of Bennagefield, bastard.

1546, August 17th.—The Queen granted to Alexander, Lord Gordon (son and heir apparent of George, Earl of Huntly), his heirs and assignees, the land and tenement, with garden and tail in the burgh of Elgin, on the east side of the Queen's highway, between the croft called Harvyisfield, the lands of Robert Innes and Elizabeth Douglas, and the land called St. Ninian's land, pertaining to the Queen by the death of James, Earl of Moray, her uncle, bastard, without lawful heirs.

1548-9, February 6th.—The Queen set in feu-farm to David Dunbar, elder, son and heir of the deeeased John Dunbar in Bennettisfield, the land of Bennettisfield, Petfur, &c., in the Lordship of Ardmannach, Co. of Inverness.

1548-9, February 13th.—The Queen granted to George, Earl of Huntly, the lands and earldom of Murray, the burgh fermes and customs of the burghs of Elgin and Forres, the fishings of Spey, Lossie, &c., the patronage of churches, chapels, and hospitals, &c., which the said Queen incorporated into the free Earldom and Barony of Moray, ordaining the Castle of Dernway as the principal messuage thereof.

1551, October 9th.—The Queen confirmed the letters made by Alexander III., King of Scots, by which he commanded the sheriff and bailies of Elgin to pay from the fermes of the bailliary of Elgin to the Friars Preachers of Elgin yearly, at Martinmas, two chalders of wheat, two chalders bere, and one chalder malt, for their support; Witnesses—Alexander Cuming, Earl of Buchan, justiciar and constable of Scotland, Donald, Earl of Mar, Ingeram de Gynis, Reginald le Chen, father, knights; at Kintore, 29th March, 1285: Also a charter of David II., King of Scotland, by which he confirmed a transcript of letters under the seals of William, Bishop of St. Andrews, Alexander, Bishop of Aberdeen, Alexander, Bishop of Ross, and John, Abbot of Dunfermline; given at Inverness, 21st October, 1362—at Edinburgh, 15th April, 1368: Also a charter of Robert I., King of Scots, by which he granted *in puram*

elimosinam to the Friars Preachers of Elgin, in gift to the church, ten merks, stg., arising annually by the hands of the Sheriff of Banff from the thanage of Abirkyrdour; at Dundee, 21st October, 1313.

Charters were granted by the Queen at Elgin on 10th September, 1552, 24th August, 1556 (she was at Inverness on 7th August), and 27th August, 1556 (she granted charter at Banff, 9th September).

1556, July 13th.—The Queen gave letters of legitimation to Sir James Terres, chaplain, bastard, son natural of Andrew Terres in Elgin.

1556, October 18th.—The Queen granted to John Annand, burgess of Elgin, a piece of land, with buildings and orchards, lying near the said burgh, containing a breadth of six crofts of land (between the land pertaining to the deceased William Thomson, burgess of Elgin, then to Sir Thomas (*sic*), rector of Unthank, called Boyllis orcheart on the east, the stone wall of the Lesser Friars of Elgin on the west, extending from the bounds of said crofts on the south to the Back Passage of said burgh on the north), which pertained to the Queen because Sir Tiberius Winchester, chaplain, disponed it to the chaplain of the Blessed Virgin Mary, within the Cathedral Church of Moray, without consent of the Queen—to be held in free burgage.

EXTRACTS FROM THE BURGH COURT BOOK.

1540.

The heid burrow court of Elgin haldin within the tolbuyth of the samyn be Johne Zoung, eldar, prowast William Gaderar, zoungar, and William Robertsoun, baillies of the samyn, the ferd day of October in the zeir of God I^{M}. V^{C}. and fourty zeiris the suttis callit the court lauchtfullie affermit.

Nomina Assise.

William Douglas eldar, William Gaderar eldar, Johne Zoung, zoungar, William Annan, Johne Bayn, Archibald Stronocht, David Talzour, Alex^{r}. Talzour, Johne Robertsone, Thomas Eldar, Henry Sincler, Thomas Wod, Thomas Breboner, Johne Watt, Johne Watsone, Robert Mawar, William Zoung, William Murray, Dauid Douglas, Robert Zoung.

The quhilk day Dauid Hardy with the consent of the haill communate wes creat and suorn freman of this burght and maid aythe as vse is and sall pay ane stane wax to the nixt Zeoll vark.

The quhilk day the assise fand be wertew of cognitioun that insafar as William Douglas, eldar, and Gawin Douglas his sone referrit to the samyn and be the witnes producit be the saidis William and Gauin that the quarter of auchtanpart quhilk the said William Douglas had attour his awin tua in times bigane is vacand in the townes hand being vngevin or assignit to ony persoun induelland now in this burtht in tymes bigane and to be disponit be the counsall of this burtht.

The quhilk day, the toun consentit to giff to John Kyntor, musicinar, ane croun of the sone for his seruice done in tyme bigane giff he departis at his awin desir.

The quhilk day William Gaderar, eldar, wes electit and chosin alderman for ane zeir nixtocum and suorne to exerce the samyn treulie during the said space.

The quhilk day John Zoung, zoungar, William Robertsoune and John Robertsoune chosin baillies for ane zeir.

[Four serjeants chosen for a year: William Gaderar, younger, chosen clerk of court for a year: James Lewingstoun chosen dempstar for a year.]

The quhilk day Margaret Balfour wes fundin in ane amerciament for the wrangus defaming of Johne Murray, Cathanes man, saying he stall pottis with vtheris iniurios wordis and in likwis for wrangus haldin of xx s. from the said Johne as dett for the quhilk iniureos wordis sche ves decernit to restore the said Johne to his guid fame and offer ane pund of wax to Sanct Gelis wark and to pay the said tuenty schillingis aucht be hir to him togidder with fiwe s. for expensis maid be him in defalt of payment of the said dett throch hir caus as wes gewin for dome.

The quhilk day Thomas Kelle conforme to his petitioun gewin in jugement wes fundin sone and nerrast and lauchtful aire to vmquhile James Keller his fader sumtyme burges of this burght.

October 5th.—Nomina communis consilii: William Gaderar, prouest, the thre bailzeis, John Forsyth [and thirteen others]. The presoris of flesch [six in number], the cunstaris [nine], the regratirs [eleven], the candillmakars [six], the leif baxtaris [three], and the lynaris of land [seven].

October 11th.—John Forsyth wes choisine bailze for ane zeir to cum and suoryne to exerce the samyn trulie for the said spaice. William Robertsone wes suorne to vs the offece of bailzere for ane zeir nixt to cum notwithstanding his absens on the heid curt day.

The said day it vas ordanit and statut that the leif baksteris obserwe and keip the peis and weych giffin to tham vnder the paine of secluding of tham fra the said offece for ane zeir and banissing of tham of the bruch induring the said space and siclik the candillmakeris vnder the said payne.

The said day it wes statuit and ordanit that na fre persone of this burgh by ony maner fysch or thay present the mercat and gif thay failze to be punist be the awyis off the consell and all vtheris vnfre vnder the payne of banessing of tham this bruch.

The assise [seventeen in number] deliuerit that Angnes Baldon

wrangit in the casting of ane staine and breking of Katerine Falconeris heid and drawing bluid of the samyn and als for the manessing of the saidis Katerine with ane rung and siclik for the defamatioun of her in calling of the said Katerine ane comond hwir and sall pay fouir sillingis to the forsaid Katerine for ane amendis as vas giffin for dowme.

The said day Katerine Falconer was in ane amerchiament for the vrangus calling of Angnes Baldon comond thief and vtheris iniurius vordis as was giffin for dowm.

October 16th.—The burrow curt of Elgine haldine within the towboyth of the samyn be William Gaderar, prouest, and John Robertsone, bailze. The assise fand and deliuerit that John Masoun, serwand to Andro Russell, master masoun, wrangit in the away hewing of ane creill vt. certane fysche thairintill out of the mercat perteing to William Clerck nocht coft be the said John Masoun fray the saidis William nor nayne vtheris heffand power to heue sauld the samyn and thairfor sall pay ane haff stane of vax to Sancte Gelis lycht and ramaine quhill Muninday nixt to cum within the tolbowytht as was giffen for dowm. The said day the assise deliuerit that John Masoun wrangit in dessobeing of Andro Gibsone, officiar, the said Johne being chargit be him to the tolbowytht to find souerte to vnderlye the law for certan vrangis downe be the said John Masoun and sall ask forgiffnes of the prouest and officiaris of the said burgh.

The quhilk day the assise deliuerit that Johne McKayne, Vm. Styne and ane callit Dempstar, masonis, wrangit in the impediment making to Andro Gibsoun for to charge and arrest Johne Masone for the quhilkis contemptioun ilk persoun sall pey tua pundis vax to Sancte Gelis lyicht and sall ask forgiffnes at the prouest and officiaris of the towne.

The quhilk day the assise deliuerit that John Mackyne, masone, wrangit in the bluid drawing of Alexander Vinchister, zounger, and sall desyir forgiffnes and remit of the said Alexander and deliuer the quhingar in his vill to him quhairwith the said bluid vas drawin as was giffin for dowme.

The said day Vm. Annand grantit in jugement to deliuer thwa siluer ringis to Johne Browne he payand samekill as thay lay in wad.

October 19th.—The prouest with the consent of the consell and communate hes assingit ane auchenpart of land liand within Baldounshalc to Gawen Douglas be the resingnatione of William Douglas his fader

for all the dais of the saidis Gawin lyftyme for the quhilkis the said Gawin sall pay twenty sillingis and hes fundin William Annan souerte for the samyn to the comond purs.

The quhilk day the prouest with the consent of the consell and communate hes dessingit ane auchenpart of land lyand within Baldonishalc callit Masonis auchenpart to John Bayne, burges of this burgh, be the resingnation of William Douglas last occupear of the samyn for all the dayis of his lyif for the quhilk Johne Bayne sall pay xx sillingis to the commond purs and William Gaderar, zoungar, souerte.

The quhilk day Gawin Douglas in jugement he resingnit ane auchenpart of land lyand in Baldonishalc in the handis of John Forsyth, bailze, in faworis of William Annan, burges of this said burgh.

The quhilk day Angnes Robertsone grantit her souertie and debtor to Robert Jamesone for thwa sillingis mone in nayme of Sir William Sutherland and to content and pay the saidis thwa sillingis to the said Robert.

David Gaw sowryne in jugement be his greit ayth deponit that he aucht nocht to Robert Jamesone bot ane pair of schowne for ane bow borrowit be him fra the said Robert.

The quhilk day the assise deliuerit that John Brabuner wrangit in the dynging and trubling of ane serwand pertening to Robert Jamesoneis within the said Robertis bwytht and sall ramayne xxiiij horis in the towbowyth and thairefter conduce himself with ane responsall master vnder the payne of banissing of him the burgh perpetuall.

October 25th.—Comperit in jugement John Zoung, zoungar, and persewit Allex^r. Winchistir, zoungar, vmquhill bailze, and Andro Gibsone, officiar, for the vrangus punding of Robert Dauidsone, bonethmakar, for the sowme of viii sillingis mone as annell / clemit be the preor and conuent of the freris predicatoris of Elgin / of all and haill the landis pertenying wmq^ll. to Thomas Zoung, lyand betuyx the gray freir vynd at the est and the landis now Sir John Williamsone at the vast and fray the forget at the north to the bakget at the sowth the quhilkis persewit beand occusit be the prouest the said Allex^r. comperit and producit ane attentik document quhair the said annell of viii sillingis vas annaleit be the said Thomas to his brothir John Zoung and siclik ane euident of foundatione of the said annell fowndit be the said John Zoung eldar to the conuent of the freiris predicatoris of Elgin. The saidis euidentis

and rychis beand producit as said is / the prouest and bailzeis commandat the officiaris to pund termlye ony strengyabill bigging of the forsaid landis for the forsayd annell for pament to be maid to the saidis freris in tyme cumyng.

The said day Villiam Malcome officiar at the command of Vm. Gaderar prouest warnit Allexr. Wynchistir, zoungar, to compeir within the tolboyth of Elgin on Twisday the xvi day of Nouember instant befoir the provest or bailzeis and thair to ansuyir for the vrangus awayhalding of the burrow curt buik of this burgh fray the commond clerk of this instant zeir.

November 15th.—The said day Allexr. Wynchister, zoungar, and Thomas Troup, proloqutoris for Andro Watsone gef in ane petitione desirand the said Andro to kend as nerest and lauchfull ayir of John Watsone, wmquhill fader to the saidis Andro / the said petitione beand red the prouest causit William Malcom officiar to inquyir gif ony persone or personis vas to apoyne this contrar to the effect forsaid the inquest [nineteen in number] beand suorne fand the saidis Andro nerest and lauchfull ayir to his said fader Johne Watsone. The quhilk day William Robertsone, bailze, was commandit and ordanit to pas at the command of the prouest and consell to the landis of vmquhill John Watsone for sesing to be giffiin to Andro Vatsone of his saidis landis lyand betuyx the landis of vmqll. Donald Vilman at the est and the commond vennell at the vast fray the forgett at the north to the gramer schowll at the sowth on the sowth syid of this burgh.

November 16.—Gawen Douglas protestit in jugement that the resingnation maid or to be maid be Villiam Douglas, pareoch clerk of Elgin, of the said offece of clerkchip / hurt nor preiuge the rycht of the said Gawine that he hes of the said clerkchip nor the presentatione to be giffin be the prouest bailzeis and communate to ony persoun of the said clerkchip in tyme cuming nocht the presentation giffin to the said Gawin thairapone of befoir.

The prouest and bailzeis commandit and ordanit William Kay to deliuer ane siluer ring to William Vardan pertening to the said William Vardan and laid in wed to William Kay of ii firlottis of lyme.

The assise deliuerit that Hendre Sinclar wrangit in the awaytaking of ane key of Sir James Wythanis fra William Hay and sall restoir the said key.

The prouest and consell directit sesing to be giffin to Bartillus Duffus, neirest and lauchfull ayir to Ispard Duffus his brother of ii rudis of land liand betuyx the landis of the viccar pentioner of Elgin at the est and the land of Robert Tailzour at the vest.

December 13th.—The assise deliuerit be the mowth of John Zoung, zoungar, chancellar, that Isbell Leslie wrangit in the saying of certan iniurius wordis to Angnes Douglas and sall pay 1 li. vax to Sanct Gellis lych and gif ewir sche dois the maik in tymis to cum to be banest this burgh for ewir.

December 16th.—The prouest and bailzeis hes assingnit Mununday efter huphallowday the tent day of Januar nyxt to cum to Janet Flegger spouis to William Lang to prewe that the saidis William his dettis excidit his gwdis and geir that pertinet to him that day that he was quik and deid tweching the cleyme of iii li. clemit be Thomas Brabuner.

John Zoung, elder, protestit that quhat that the prouest and bailzeis dois in compelling of Andro Milln to deliuer ane gray hors to Thomas Kelle as sone and air to James Kelle as he allegis hurt nocht the said John Zoung, Sir Thomas Hay nor Janet Zoung assecutoris to wmq^{ll}. James Kelle becaus the saidis assecutoris was neuer callit thwyching the said hors as the saidis John allegis.

William Gaderar, elder, protestit for tyme and place to persewe the bailzeis of this burgh gif tha da him nocht justece twching the persuyt of ane gray hors togidder with all the airchip of Thomas Kelle.

William Gaderar, elder, is content to vnderlie the sentence of the bailzeis twyching the ection of certan airchip pertenying to him be ane assingnatione maid be Thomas Kelle to the said William clamit fra Andro Milln, possessor of the saidis airchip.

Comperit in jugement William Gaderar, elder, and persewit Andro Milln, burges, for the wrangus awahalding of ane gray hors worth vi merkis mone fra Thomas Kelle as airchip to the said Thomas.

William Gaderar protestit for tyme and plaice and juge competent to call John Zoung, zoungar, for the masterfull saying in jugement that Sir Thomas Hay sall spek at the bar with Andro Milln aganis the said William.

The bailzeis, John Forsyth, William Robertsone and John Robertsone protest for tyme and plaice and juge competent to call John Zoung, zoungar, and Master Thomas Hay for the masterfull stoping and

molesting of tham in jugement to do justece in ane matter twyching ane gray hors clemit be William Gaderar, elder, in name of Thomas Kelle fra Andro Mill the said John Zoung and Master Thomas beand chargit to hef decistit and cesit fra all iniurius vordis and molestation in the said court.

William Gaderar, elder, protestit for tyme, plaice and juge competent to call Johne Zoung, zounger, Mr. Thomas Hay for the masterfull perturbing and molesting the balzeis of this burgh in jugement stopping them to do justice to the said William apon Andro Millis protestan in defalt of justece now instant throw thair inquietatione that he may complayne of on the forsaidis personis to our souerand lord the Kingis graice and his lordis of consell.

William Gaderar, elder, protestit for tyme plaice and juge competent to call John Zoung, zoungar, for the greit sklander and defamatione of him calland him murdressar of his awin gossop.

Andro Milln offerit him redy to do justece foir the bailzeis of this burgh to William Gaderar elder and Thomas Kelle.

Master Thomas Hay, prolocutor for Andro Milln, fensit ane broch that the said Andro myth and suld say aganis the bailzeis and membris of curt twyching the ection of ane gray hors clemit be Thomas Kelle fra the said Andro and incontinent William Gaderar, elder, recontrit the said broch allegan the said Andro had denyit the action and cled the court and hed no plaice to say aganis the forsaid bailzeis nor membris of court apon the quhilk broch and recontyr the saidis parteis desirit ane sensiment quhilk was grantit quhilk sensiment fand that the said Andro nor Mr. Thomas had nò plaice to say aganis the bailzes nor membris of curt becaus he denyit the actione abefoir.

Nomina assise et interloquitoris:—

William Douglas, John Bayne, Hendre Sincler, Cutbert Cuming, James Pedder, Dauid Tailzour, John Barbur, Archibald Stronach, Allex^{r}. Winchistir, elder, Martein Sklater, William Kyncorne, Allex^{r}. McKayne, Robert Zoung, Alex^{r}. Lochillis, John Murray, Wm. Annan and Allex^{r}. Tailzour.

The quhilk day Mr. Thomas Hay fensit ane broch in nayme and behalf of Andro Mylln (forsamekill as he was persewit be William Gaderar, elder, procutor for Thomas Kelle for ane gray hors pertinying wmq^{ll}. to James Kelle and now to the said Thomas be rasone of airchip

as thay allegit) that the said Andro auch nocht to answer that day quhill he hed gottin the coppe of ane sentence arbitrall gifin with the said William Gaderar and Thomas Kelle apon the said hors and airchip and desirit ane sensward thairapone and incontinent the saidis William reconterit the said broch sayand that he rafarrit the said Andro Mylln ayth quhidder gif he hed gottin the forsaid coppe or nocht / the forsaid sensward beand sworyne deliuerit that the said Andro aucht to answer now instant becaus he confessit in the jugement that he had rasauit the saidis coppe abefoir and als that the said Andro wrangit in the saidis broch striking.

The assise deliuerit be the mowth of William Douglas chancler of the samyn that Andro Milln wrangit in awayhalding of ane gray hors fra Thomes Kelle sone and air to James Kelle his fader quhom God assolze quhilk hors pertenis to the saidis Thomas as airdowm be the deces of his said fader and that the said Andro aucht and suld deliuer the best horse pertinying to James Kelle fader forsaid to the saidis Thomas incontinent and failzeand thairof ilk day fra this day forwart the just hyir of the said hors as was giffin for dowme.

December 20th.—William Gaderar, elder, protestit in jugement for tyme, plaice and juge competent to call Waltir Kynnard of Culbyne for the masterfull saying in jugement that the jugis now present hes giffin ane fals sentence aganis James Pedder.

William Gaderar protestit in jugement for tyme plaice and juge competent to call James Pedder, burges of Elgyne, for the mastirfull schlandering and saying in jugement that the saidis William Gaderar wes ane dalie oppressour of him and his nichtboris of the burgh of Elgin.

William Gaderer, elder, protestit for tyme etc. to call James Pedder for purchessing of outdwelland lordschip that is to say Robert Dumbar of Durris and Waltir Kynnard of Culbyn the saidis James beand sworyne in tyme of making of him freman nocht to hef purchest onfre outdwelland men in contrar the towne nor ony nechtbor of the samyn.

Janet Findlay sweyr and deponit in jugement that William Smyth pait na greischip maill quhen he enterit with hyr achenpart.

The quhilk day the provest assignit ane aughenpart of land to Archbald Stronach quhilk vakit be the deces of William Zoung, son to John Zoung, elder, and dischargit the forsaid Archbald of the comond buttis at the Palmer furd quhilk lay in the said Archbald handis ay and quhill the said Archbald suld get ane auchenpart.

1540-1.

January 7th.—Dauid Harde and Johne Smyth sworne in jugement to ws the offece of clerkschip of this burgh ay and q[ll]. thay be dischargit.

The prouest and bailzeis hes assingnit Munnunday the day of Januar nyxto cum to thir personis underwrittin to saw thair ewydentis of the landis withinwrittin, ilk persone respectiue, that is to say, John Forsyth for the landis was wmq[ll]. Sir William Murrais, elder / Mr. Alexander Douglas for ii rudis of land beest Sir Thomas Hay / Bartillus Duffus for thwa ruid bevast the vicar pentioner / to John Barbur and Angnes Cuming his spous for ii rudis of land lyand betuyx Marron Mwyr at the vast and Sir Andro Froster at the est on the north syid of this bru[t]. . . . quhilk day was assingit to the saidis personis to produce thair instrumentis and to be enterit in the soitroll.

Ane arrestment prowyn maid be Necoll Moressone, officiar of this bru[t]. apon thre gray hors wmq[ll]. pertinying to James Kelle at the command of prouest and bailzeis.

January 10th.—The quhilk day Thomas Kar protestit in jugement that the calling of Master Alexander Dumbar, dene of Murray in the soitroll for ane ruid of land liand on the north syid of this burgh betuyx the landis of James Pedder at the vast and the blak freris wynd at the est suld not hurt the saidis Thomas grund rycht to the heritage of the said rud be rasone he was compellit for feir of his lyif to resing the samyn.

January 24th.—William Gaderar, prouest, producit ane bill of complaint to the bailzeis in jugement desirand to inquyir and se gif ony nichtbor fre or onfre wald allege or say gif ewir he oppressit tham or ony ane of tham in tymes bygane the bailzeis inquirand at the nichtboris vnderwrittin in jugement, that is to say, John Forsyth [and 51 others] the saidis personis denyit alluterlie that euir the saids William oppressit tham or ony ane of tham in tymis bygane vpon the quhilk the said William desirit act of curt.

February 7th.—James Pedder being accusit for the wrangus outtaking of Effeme Tailzour out of the tolboyth put in at the instance of Ferquhar Flessor the said James tuik this day xxv dais to enter the sayd Effeme in jugement within the said tolboyth.

James Pedder being accusit be the bailzeis for the wrangus making of ane arrestment as mair and officiar to the sheref of Elgine and Forres

upon certane punctis of ayirdowme and in speciall ane gray hors quhilkis wmq^{ll}. perteint to Thomas Kelle . . . he denyit . . . and was rafarrit to ane conding inquest.

[The inquest find that James Pedder "wrangit" in arresting.]

February 14th.—The prouest and bailzeis decernis and ordanis the land of Allex^{r}. Cator lying on the sowyth syid of this bru^{t}. betuyx the land of Allex^{r}. Murray at the vast part and the land of vmq^{ll}. James Robertsone on the est part to be strengzeit and pundit zeirle for sax sillingis annell to the preor and conwent of the freir predecatoris of this bru^{t}. in all tyme cuming.

The assise deliuer that Janet Flegger, spous vmq^{ll}. to William Lang, pay to Thomas Brabuner thrette sillingis in part of pament of thre pundis quhilk William Lang aucht the said Thomas for certane cheis boycht fra the Lard of Ley the said William Langis guiddis exceding his dettis be the said sowme of thrette sillingis.

February 21st.—The bailzeis John Forsyth, John Robertsone and William Robertsone being accusit for the coping and selling of xvid. aill tymis bygane contrar the actis and statutis of this bru^{t}. / thay and ilk ane of tham com in the prouest will for the samyn and dowme giffyn thairupone.

Johne Forsyth, ane of the bailzeis, be his bill of complent giffin in persewit Allex^{r}. Wynchister, zoungar, allegand that he put handis on him in the executione of his offece and deforced him.

[An assise of twenty-one persons being sworn] 'the halie euangeliis be tham and euery ane of tham thwichit' and they 'furth of the curt removit' heuand God and guid conscience befoir them 'com on and deliuerit be the mouth of ane hon^{ll}. man V^{m}. Sutherland of Duffus burges of this bru^{t}. and chanchler of the said assise that the complent giffin in be the said Johne Forsyth was is in the self of nayne awaill fors and effect that the said Allex^{r}. Vynchister was and is quit and clene of the saidis punctis continit on the said bill' . . . 'Vpone the quhilkis deliuerance the said Allex^{r}. Vynchister desirit act and rolmond of curt vnder the selis of the forsaid prouest and bailzeis or ony ane of thame jugis in the said mater.'

John Robertsone, William Robertsone and John Forsyth, bailzeis, war accusit be the prouest for nocht putting of thair offecer to do execution, the said actione beand denyit and referrit to ane assise quhilkis

assise deliuerit that the said John, William and John had nocht put thair offecer to execution conforme to thair greit ayth maid thairvpone and fand tham and ilk ane of tham in ane amerchiment and dowme giffin thairupone.

John Forsyth, bailze, protestit in jugement for the rolmond of curt thwyching the matter debatabill betuyx the said John Forsyth, bailze, and Allex^{r}. Vynchister, zoungar, on his expensis.

February 25th.—William Haw induellar in Dunde and Andro Rosse in Couper of Fyf present in jugement war accusit be the prowest for the wrangus forstalling of the said bru^{t}. in bying of certane gray clayth to landwart and outtouth the boundis of the said bru^{t}. the saidis William Haw and Andro Rosse confessit the same and cam in the prouestis will. The quhilk prouest remittit the present falt and gif thay or ony ane of tham committis siklik in tymis to cum the haill stuff or clayth salbe eschet conforme to our souerand lordis letteris.

February 29th.—John Zoung becom souerte for John Boyne to pay the lard of Alter vii li. xvi s. vsuall money and ane teblet of gold gif the said larde of Alter optinis the samyn betuyx this and this day viii dais befoir ony jugis.

Elspet Innes, Mege Gib, Bellis moder, the piper, the bonethmakaris vif . Mechy, Andro Grene and his vif, Elspet Necoll, John Hay, baxstair, and Andro Caberis, beand accusit for certane wrangis downe be tham denyit and tuik tham to God and ane guid assise, the quhilk assise deliuerit that Elspet Innes, Mege Gib, Bellis moder, the piper, the bonethmakaris vif, . Mechy, Andro Grene and his vife and Elspet Necoll auch and suld be banest this bru^{t}. for the crimis committit be thame and als deliuerit that Andro Cabboris sall nocht slay na flesch to sell nor vs the offece of fleshery for ane zeir to cum and attour deliuerit that John Hay forsaid conduce him within viii dais with ane responsall master or failzeand thairof salbe banist this bru^{t}.

Andro Rait and Mychaill Etlis callit be the provest and allegit onprofetabill nychtboris within this burgh quhilk personis rafarit the samyn to ane assise, the quhilk assise deliuerit that the forsaid Androu Rait and Mychaell Etlis are sufficient and edonnis personis to ramayne within this burgh.

March 4th.—James Donaldsone in Innernes oblist him self in jugement to prewe Androu Milln pait of the third part of xxxvi s. the nyxt law day eftir Schyirfurisday. I

March 7th.—Alexander Cumyng of Alter persewit John Bayne for ane certane sowme of mone and ane teblet of gold. The forsaid John alluterlie denyit that he auch ony sowme of mone and grantit that he had the taiblet in vod of four merks and ane half and rafarrit the mony and taiblet in the ayth of the said Allex^r. Cuming of Alter. The saidis Allex^r. Cuming being soworne, the hale ewangelis be him twychit, deponit that the said Johne Bayne auch to him sewin merkis ii s. viii d. and hes said taiblet of gold fre, and attour the said Allex^r. gef Cayrsunday nyxtocum to pay the said sowme of mone and Trinate day therefter to deliuer the said taiblet or the just awaill and the said John Bayn becom oblist thairto.

March 14th.—The assise [thirteen in number] deliuerit that David Ga was quit of the cleme of ane brassin pot clemit be William Kay.

Farquhar Flessour was accusit for the wrangus passing to the watter of Spey and forstalling of this burgh and bying of fresch salmond in greit quantate and thairthroch causit greit derth within this bru^t. of sic stuff and als the said Ferquhar Flessour was accusit for the wrangus making impediment to certane personis carearis of fresch sallmond to sell as thay thocht expedient bot perswadit tham to hald the samyn derrer than thay offerit to sell and attour the said Ferquhar was accusit for the bying of slayne motone vpon the skamillis of this bru^t. fra vtheris flessouris and selling the samyn incontinent to the nechtboris of this bru^t. and taking of greit wynnyng and causand all sic stuf ryis to ane inconvenient. The said Ferquhar denyit the samyn alluterlie and rafarrit him to ane conding nwmyr of inquest. The quhilk assise deliuerit that the said Ferquhar Flessour wrangit in all the saidis punctis and sall be secludit fray all careing of fysch to sell within this burgh and siclik fray vssing of the flessour craft ay and quhill he fynd thwa or thre risponsall nychtboris souerte to the prouest and bailzeis to obstene in all tyme cuming fray all sic wrangis vnder the payne of banessing the said Ferquhar Flessour this burgh.

The assise deliuerit that Alexander Rochillis wrangit in the breking of the dikes of the milln croft bewest Elgine pertenyng to John Zoung, elder, and John Zoung, zoungar, and dowme giffiin thairupone.

The assise deliuerit that John Zoung, zoungar, wrangit calland Alexander Rochillis carle and dowme giffin thairupone.

The assise deliuerit that John Zoung, zoungar, wrangit in awaytaking

and withhalding of ane bulax fra Allex^{r}. Rochillis and auch restoir the samyn.

March 21st.—Androu Milln protestit for pament of ane certane sowme of mone debursit be the said Androu in Franch for the expensis maid in the persewt of certane merchandece.

March 24th.—William Malcome protestit that he hes rycht to ane rig of land liand on the vast syid of Merevall giffin to him be the towne and protestit for the prophetis of ii buttis of land, the tayne lyand contigue v^{t}. the Quarrestank dyik by the est syid and the tother on the vast syid of the Deid Brigis and siclyk for ane halfdaill in the linchalc.

Comperit personalie William Sutherland of Duffus and offerit xiii merkis wsuall mone for the landis and towne of Mostowe zeirle to the prouest and bailzeis of this bru^{t}. gif thay vald set the samyn to him in assedatione protestane gif the prouest or bailzeis set the samyn better scheip to ony vther persone than sayd is that he mycht hef tyme and plaice as ane burges and freman to complene to the lordis of consell for reformatione of the samyn conforme to the actis of parliament.

1541.

March 28th.—William Malcome grantit him awand to Thomas Ros ane dowblet of fownis sufficient stuf and sall pay the samyn betuyx this and Sanct James the Apostill day that nyxt cumis.

The assise deliuerit tnat Angnes Hayme wrangit in the away passing vi dais fra Isbell Douglas service sche beand hir feit serwand and als the said Angnes wrangit in the drawing of the said Isbell Douglas hair and strīking of hir and sall ask the said Isbell forgiffnes and stand in the vine coller q^{ll}. iii howris efternowne.

April 26th.—The prouest set the rig betuyx the mos and Sanct Katering croftis to Thomas Kar for all the dais and termis of iii zeris.

The prouest and communate hes conducit William Lewynstoun to keip the cornis of this brugh quhill beir seid be downe, for the quhilk ilk auchenpart sall pay to him ane d. by his punlaw and that no nychbor of this bru^{t}. trubill him in pundding of the guiddis takin wpone the cornis vnder the payne of viii s. onforgiffin.

April 30th.—John Bayne become souerte for Androu Grant in Corsky that Androu Mychell duelland thair salbe harmeles and skaythles in tyme

cuming of all bodelie harme himself, his vif, childryne, houshald, serwandis of the said Androu Grant and all that he may stop or lat bot as law will and the said souerte vnder the payne of law.

May 5th.—Robert Reid being persewit for the wrangus trubling of this burgh and for the taking of the lok of the tolboyth efter he vas put thairinto be the officiaris and siclik for the ryving of Andro Gibsone, officiar, his clais. The forsaid Robert becom in vill and dowm giffin thairupone, the quhilk will to be modefeit be the provest.

May 9th.—The assise deliuerit that Margaret Carrudderis wrangit in the dinging of Janet Kar and drawing of bluid of hir and salbe banest this burgh thairfor.

The assise deliuerit that William Vardane, Robert Jamesone and . Felder wrangit in the cutting of the hee get throch the hidderingis and sall mak the samyn sufficient be the awyis of vi of the best and vortheast of this brugh.

The assise deliuerit that William Malcome, officiar, auch and suld heue ane but of land in propirte to his quartar auchenpart.

The quhilk day the assise deliuerit that Alexander Williamson wrangit in passing to the see coast and making of merchat with Franchmen in bying of xx pottis of irone thay beand vnofferit or enterit to this brut. and sall deliuer the saidis pottis to the prouest to be distrubutt to the nychtboris as he shall think expedient and gif euer he committis sic ane falt in tymis to cum to be punisit to the regor in exempill to vtheris and dowme giffin thairupone.

The assise deliuerit that the souythmest but of ouyr deid brigis occupeit be John Zoung pertinis to the commonte.

May 22nd.—The burrow court of Elgin haldin within the tolboyth of the samyn be William Gaderar prouest the xxii day of the month of Maii in the zeir of God I^{M}. V^{C}. xli zeris, the quhilk day the suttis callit and the court lauchfullie effirmit.

Nomina assise:

John Zoung, zoungar, John Bayne, Hendre Sancler, John Vat, Cutbert Cuming, Allex^{r}. Vynchistir, elder, Wm. Annand, James Pedder, John Murray, Allex^{r}. Vynchistir, zoungar, Allexander Tailzour, James Sklatter, John Colle, Thomas Brabuner and Wm. Auldcorne.

The quhilk day Ebbe Annand, mothir to Wm. Kyncorne, resingnit personale in jugement ane auchenpart of land pertinying to hir liand

vithin the grechip of Elgine in the prouest handis in fauor of the said William Kyncorne hir sone and incontinent thereftir the said prouest assingnit the said auchenepart with consent of the haill consell and comunate beand present for the tyme to the saidis William Kyncorne reserwand the said Ebbe Annand hir lyfrent of the said land with pouer to hir to set the samyn to quhome sche pleis as law vill and the said William oblist him self to pay xx s. at Sancte James day nyxtocum for his entres as vs is.

The assise deliuerit that William Malcome wrangit calland William Zoung in the he get glangorit and dowme giffin thairupon.

The assise deliuerit that Thomas Kar, officiar, wrangit in the striking of Janet Fyne vpon hir faice with his hand.

The assise found that William Zoung wrangit in the drawing of ane quyingar to heue slayne William Malcome and sall offir on Sunday nyxt to cum in tym of the confiteor of the hee mess half a pund of wax for his said falt.

The assise deliuerit that Androu Gibsone, officiar, wrangit in the striking of Margarat Saidler, giffand hir ane blaw on the faice and ordanis that Androu Gibsone and all vtheris officiaris within this brut. obstein fra striking of ony personis in tyme to cum vnder the payne of deprivation of tham fra offece bering within the samyn for all the dais of thair lyftime.

The quhilk day the assise deliuerit be the mouth of Alexr. Vynchistir, zoungar, chancler thairof that Robert Reid wrangit in the riving of Androu Gibsonis clais and sall amend the samyn be the sycht of Alexander Tailzour and attour deliuerit that the said Robert wrangit saying behind the said Androuis bak that he left his deid upon him and sall pay 1 li. wax to Sanct Gelis verk and dowme giffin thairupone.

The quhilk day the assise deliuerit that Mergarat Sadlar wrangit calland Androu Gibsone, officiar, smakę carell and dowme giffin thairupon.

August 8th.—The assise ordanit that James Falconer sall conduce him with ane master and not to pas vagane within this bruchg vnder the paine of banessing of him perpetuallie.

June 21st.—John Bell, alias Stuart, piper, becom in the prouest and baillies will for the wrangus trublance of this brugh. The assise deliuerit that John Bell, alias Stuart, piper, wrangit in the trubling of John Joppe, tailzour, and hurtting of him in the heid and in the hand with ane suord

and drawin of bluid of him to greit quantate, for the quhilk skayth the forsaid John Bell sall content and pay to the said John Joppe for leching and skayth downe to him xx s. vsuall money.

Isbell Vatsone spous to William Milln wrangit in the steilling of ane pek of meill pertinying to Thomas Kar and siclik wrangit in the calling of the said Thomas Kar iniurius wordis and sall ask him forgifnes and pay ane li. of vax to Sanct Gelis lycht.

The prouest and baillies consell and communate beand present for the tyme considdering the greit hurt, damage and skayth sustenit be the nychtboris of the bruchg thwiching the etting of thair cornis with thair awyn bestiall now fra beirseid tyme till haruist hes statut and ordanit that na oxin, ky nor scheip pas by the comond akir the get to the Sanchory nor the get to the Pallmer furd bot that they pas to vtheris plaicis as tha think expedient and gif ony personis dois in the contrar the pundlan the first tyme xii d., the secund tyme ii s., the third tyme 5s. onforgiffin and siclik the pundlan of the hors or guidis liand in the cornis on the nycht to be v s., of that iiij s. to Sanct Gelis wark and xii d. to the takar.

June 28th.—Comperit personale John Auchanaquhy of that ilk on the ta part and John Serar alias Taklum on the tother part and forsamekill as the said John Auchanaquhy had persewit the fornamit John Serer for ane ox quhilk ox the said John Serer coft fra him for xxxii s. The said John Serer producit vi famous personis to be vitnes. Thai deponit that the said xxxii s. promisit for the said ox vas haill and compleit pait to the said John Auchanaquhy and dowme giffin thairupone. John Serer alias Taklum, protestit for his expensis and his witnes.

July 11th.—The assise deliuerit that Alexander Lang sall content and pay to Angnes Robertson the sowme of saxtene sillingis for ane hors boych be the said Allex^{r}. fra the said Angnes.

August 8th.—The assise deliuerit that Ellene Clay wrangit in the saying that James Lard staw certane silluer fra hir.

The assise ordanit and deliuerit that James Falconer sall conduce him with ane master and nocht to pas vagane within this bruchg vnder the pane of banessing of him perpetualle of the samyn.

The assise deliuerit that Elspet Troill, Mage Troill, thair modir callit . . wrangit in the striking of John Macynhyne and his spous and siclik in awaytaking of ane cow fra Johne Baldone quhilk was takine in his

moder cornis for the quhilkis the assise ordanis that the forsaid Elspet, Mege and thair mothir be alluterlie banest this brut. conforme to the ald actis maid of befoir and attour gif James Rob rasauis or rasettis ony of the forsaidis personis in tyme cuming to tyne his fredome and to be banest inlikuais.

August 16th.—Communitas contra Zoung. Thomas Elder, alias Zoung, become of his awine motywe in the prouest, baillies and consell of this brut. in thair willis for the cutting and distroying of the Schancory woid pertinying to the communate of this brut. and to vnderlie thair correctioun.

Alexander Pedder wrangit in the breking of certane arrowis. He sall pay the just availl of the samyn.

August 22nd.—The assise deliuerit that Androu Andersone, alias Kabberis, wrangit in the drawing of Androu Ratis hair and in the breking of Androu Ratis dwir with ane leyt. ax, and ordanis the said Androu Andersone sall remain xxiiij howris in the tolboyth, and gif evir he committis sic ane falt in tyme cuming to be baneist the burgh.

September 24th.—Allexander Malcome was electit and made freman, and sueir his ayth of fidelate to this brut. and nychtboris of the samyn, and sall pay v s.

The assise deliuerit that Elspet Coutts, alias Troill, for the trublance and wrangis doune to Elezabeth Tailzour, and for vtheris greit cremis downe in tymis bygane, sall remevf and be banest this brut. perpetuallie, and gif it sall happine ony nechbor of this brut. to rasaue or reset hir, quhasumeuer he be, sall tyne his fredome perpetuall, becaus sche hes beine oft banest abefoir.

The assise deliuerit that John Barbur wrangit in casting of ane bowill at Thomas Ayir and hitting of him thairwith in the heid and siclik for the riffing of the said Thomas clais, for the quhilkis crymis and vtheris crymis dovne abefoir he salbe and is banest this brut. perpetuall lik as he vas abefoir ay and qll. he vptene lecence at prouest, baillies, consell and communate of this brut.

October 3rd.—John Bayne, burges of this brut., protestit in jugement for all costis, expensis, schaithis optenit be the lard of Alter or ony vtheris concernyng ane goldine tablet haldin and away put be John Wat, burges of the said brut., quhilk tablet of gold the forsaid John Watt promist to deliuer to the said John Bayne and rasauit pament for the quhilk the said taiblet was laid in ved as the said Johne Bayne allegit.

Mr. Thomas Gaderar, commissar of Murray, complenit vpon Robert Mawar for cassin ane stank upon ane taill pertynyng to the said Mr. Thomas. The prouest and ballies ordanis that ane ballie and four famous nychtboris pas and caus the skayth dovn to be mendit.

The quhilk day William Douglas mad protestation in jugement for him self and all vtheris that quhasumeuer persone, man or voman, that gifis landis to thair barnis afoir thair deid, thai and ilk ane of tham sall forthink the samyn with thair harts or thay de.

Thomas Kar, officiar, passit at the command of the prouest to ane rud of land lyand betuyx the vicar pensionar at the est and Robert Mawar at the vast on the north syid of this brut., and presentit zerd and stane at the instance of Johne Bayne befoir thir witnes, Sir Thomas Rind, Thomas Bayne, Vm. Malcom, John Rag and John Feldone for this curt, and protestit for his annell of the said land for all tims bygane and to cum.

The quhilk day William Gaderar, elder, was electit and chosine prouest of this brut. for ane zeir nyxtocum, and suorne to exerce the samyn trevlie during the said spaice.

The quhilk day Allexr. Wynchistir, zoungar, John Forsyth, Androu Gaderar and William Annan war menit and chosine baillies of this brut. for to exerce the said office for ane zeir nyxt to cum, and William Annan and Andro Gaderar suorne in jugement heirto.

October 16th.—The quhilk day William Malcome, William Kyncorne, Androu Gibsone and Thomas Kar was ellecit and chosine officiaris and serwandis of this brut. for ane zeir nyxtocum, and suorne to vse the samyn trulie for the said spaice.

The quhilk day William Gaderar, zoungar, was ellecit and chosine clerk of court of this brut. for ane zeir and suorne thairto.

The quhilk day James Leyvnstoune and William Levynstoune ves ellectit and chosine dempstaris for ane zeir, and suorne thairto.

The comond counsell: the prouest, the four baillies [and eleven others].

William Douglas tuik to impreve ane transump and instrument transsumit out of Master Androu Cheves prothogall buik of the dait the xvi day of Fabruar in the zeir of God IM. VC. xxv zeris quhilk instrument continis the ressingnation of ane ruid of land maid to James Douglas be his said fadir, William Douglas.

October 22nd.—The prouest, baillies [four baillies present], consell and communate hes ellecit and choisine William Gaderar, zoungar, ballie q^{ll}. Mychalmes nyxtocum, and the said William suorne to vse the said offece trevlie.

It is statut and ordanit be the haill communate that na derer ayill be sauld within this bru^{t}. na xii d. the gallone fra this fur^{t}. the best that may be brovine, and war to be set be the cunstaris to lawar prece vnder the pane of deling of the samyn / and that nan kep aill or refuis to sell the samyn to ony persone for money accep ane gallon with ane burgess and the stallingeris to sell continewallie q^{ll}. it lastis vnder the payn of escheting of the samyn and disponyng thairof at the baillies willis.

It is statut and ordanit that the leif of breid of quhit for ii d. contene xxiiij vncis and the penne leif xii vncis of sufficient stuf, and gif ony falt beis in the veycht the baxstaris to be punist / and for the gudnes of the stuf the avneris to be punist, that is to say, the baxstaris for thair falt salbe punist in thair bodeis togidder with viii s. of vnlaw and ettour gif it sall happne ony persone that vsit the craft to abstein thairfra for caus of this statut it is ordanit that tha be alluterlie secludit fra all priuilege of baiking for ane zeir heirefter.

It is statut and ordanit that na stabillar nor vther persone within this burgh sell deirer eitis to horse corne na iiij d. the pect, vnder the paine of escheting fra ilk person of ane boll of the samyn for ilk defalt and ilk sellar or coper heue ane sufficient ferlot and pect to sell the samyn.

It is statut and ordanit that no persone within this bru^{t}. baik eit caikis to sell vnder the pain of deling of the samyn as the baillies pleis, and attour that na stallenger cum to the markat of vittellis afoir ane hour efternovne and to the fysch mercat that na maner persone by vittellis nor fysch outout the commond merkat under the said pain, and this act to be kept anent the flesh merkat vnder sic payne.

It is statut that the penny candill contene xviii inchis in lenth and ane beir corne in depnes, and sicklik the halpane candill ix inchis and the said deipnes, vnder the pain of disponyng of the samyn at the vill of the baillies.

It is ordanit and statut that all personis that hes laid ony gudding to the gray freris dikis that the samyn be takine avay or Mununday at evine nyxt to cum, and failzeing thairof it salbe lesum to any nychtbor to leid the samyn quhair tha ples as thair awin propir guidding and

siclik that all channellis and wennellis be red be the awnaris of all stopis (?) and guiddingis, and failzeand thairof it salbe lesum to the baillies to despone the samyn quhair thay ples and to tak viii s. vnlaw of the avnaris.

It is statut and ordanit that all fremen and burges being varnit sufficientlie to compeyr for ministratione of justece sall enter at half hour to xi afoir novne, and failzeand thairof sall pay iiij d. to the clerk for his absens, and gif he comperis nocht q^{ll}. the assise beis chosine, he or thay sall pay viii s. vnforgiffin.

It is ordanit that the officiaris of this bru^{t}. varne all dekins of craft to Mununday nyxt cumis, and thair gif all personis and servandis of thair craftis in bill to the prouest and baillies.

October 24th.—The assise deliuerit that John Cuming in Grene [and others] wrangit in the etting of the cornis pertinying to Johne Bayne with thair guiddis as tha that ar sibtennendis to the burgh for the landis of Duuellegrene quhair the saidis cornis var distroit and ettin, and sall pay to the said John Bayne samekill as they can nocht guidle acquit tham be thair greit ayth.

October 31.—The assise deliuerit that John Baxstair wrangit in the streking of William Vardan on the heid, and sall pay i li. vax to Sanct Gelis lycht.

The assise deliuerit that Thomas Ayir wrangit in bying of fresch hidis within the boundis of this schyir, he beand vnfre and siklik in barking of the samyn and selling the samyn to vnfre men and enterit this schyir and siclik deliuerit that William Donaldsone vrangit in barking of hidis and sellying the samyn out of this schyir.

November 4th.—Cutbert Cumyng becom souerte for Thomas Ayir and Alexander Reid for Androu Mathow that thai nor naine of tham sall by fresch hyidis within the bovndis of the fredoome of this burgh bot fray fre men and siclik that thai sall nocht sell barkit ledder out of this burgh bot vithin the samyn and to fre men vnder payne of eschetting of the stuf and punissing of tham selfis and thair souerteis.

December 3rd.—Comperit^{e} in jugement John Grant of Balnadalach and deliuerit ane breve of our souerane lordis chepell to William Gaderar, prouest, for dew serving of the samyn and the . day of Januar nyxt to cum assingnit to the said John Grant to the effect forsaid [ane breve impetrat be the forsaid John Grant of quhat landis and anvell rentis his vmq^{ll}. fader, Patrik Grant, deit last vestit and sasit].

December 5th.—The assise deliuerit that Allex^{r}. Syme sall cum befoir John Zoung on our Lady day of Belle at the said kirk and preve that he pait ane boll of victell to John Vatson.

December 12th.—The assise deliuerit that Langsande wrangit in the avayhalding of ane brovne quhit hornit ox fra James Vynk, and auch and suld deliuer the samyn.

1541-2.

January 16th.—Sir Thomas Straquhen protestit in jugement for his just expenses to be had of Alexander Malcom, becaus the said Allex^{r}. causit arrest the said Sir Thomas within the said bru^{t}. and na action obtenit be him contrar the said Sir Thomas.

The assise deliuerit that James Crestisone wrangit in the breking of Thomas Lowreis heid and drawing bluid of him to greit quantate, and sall pay 5s. to the said Thomas to ane amendis.

The assise deliuerit that James Vatsone wrangit in the avay taking of ane bonet fra V^{m}. Tailzour and stranging of the samyn in the myir, and James Vatson wrangit in the striking of Villiam Tailzour on the faice and er with his neif. The assise deliuerit that Villiam Tailzour wrangit in the away taking of ane pair of gluiffis out of James Vatsonis boyth, and calling of the said James scabbit lyper carlle.

January 23rd.—The assise deliuerit that Thomas Pakman wrangit in the trubling and striking of John Adesone vpon the kingis he streit, and sall pay to the said John thwa sillingis to amendis.

January 30th.—The assise deliuerit that Elizabet Frisell auch allanerlie bot sax sillingis to Janet Zoung for the quhilk the said Janet hes ane pot in vod / the forsaid Elizabet payand the said sax sillingis that scho auch to hef her pot.

February 6th.—The quhilk day James Vat, with consent of the haill communate beand present for the tyme, vas maid burges and freman of this burgh, and maid his ayth of fidelate to the samyn, for the quhilk he sall pay xxvi s. viii d. quhen and quhat tyme he beis requirit with the samyn with the prouest and baillies.

February 13th.—Thomas Ayir protestit that in cais his spous, Margarat Artill, sell, gif avay or dispone ony geir of guidis pertenying to the said Thomas fra this day fordvart that the samyn be no hurt nor

preiudece to him, bot he may heue ingress to his guiddis and geir as saidis without ony satisfaction to the parte, becaus it is vnderstand cleirlie that the said Margaret hes disponit his geir in tymis bygane by his avise and to thair awyn gret schaythis, and this maid knawin to all and sundre be oppin intimation be Thomas Kar, officiar, at the tolboyth dwir this day at the command of the baillies.

The quhilk day the assise deliuerit that Johne Innes wrangit in the calling of Nicoll Moressone swenger carle and birsyn carle, for the quhilkis he sall ask the said Necoll forgiffnes, and gif evir he committis sic ane falt in tyme to cum to be banist this burgh.

The assise deliuerit that Elizabet Leslie, spous to Hendry Covper, wrangit in the defemyng of Alex^{r}. Malcome calland him trwtor.

The assise deliuerit that Maireon Murray was in ane amerchiament for the wrangus defamyng of Androu Milln calland hym dovr drunkyn beist and schabbit carlis get with vtheris iniurius wordis to himself and his vyf, for the quhilkis sche sall desyir forgifnes at the said Androu and remayn xlviii hovris in the tolboyth at the vill of the prouest, and gif evir scho committis sic ane falt in tym to cum to be banist this burgh.

The assise deliuerit that Johne Bayne auch and suld content and pay to Sir James Kar his just expensis of his burd be the spaice of xxvi dais lik as the said Sir James deponit his greit ayith thairupone bygan and gif the said Sir James ane dais meit ovklie of his just vagis for the samyn ay quhill the said Johne Bayne be dischargit be the prouest, baillies and consell of this bru^{t}. thairfor.

John Cowe deliuerit to the baillies ane pot and ane pane as souerte to the forsaid baillies for the vnlavis anent Thomas Pakman, quhilk pan and pot var apprisit be Alexander Reid, V^{m}. Aldcorne, Alex^{r}. Vynchister, elder, and Androu Gibsone, serjand, to the sovm of xx s.

March 7th.—David Harde vas chargit be ane officiar in jugement nocht to heue na talch out of this realm conform to the actis of parliament vnder the payne of tinsell of his fredovme.

March 8th.—The prouest, baillies, consell and haill communate beand present for the tyme hes set and for maill lattin all and haill the tovne and lands of Divuelegrene with the pertinentis to thir personis vnderwrittin, that is to say, to Alex^{r}. Vynchister, zoungar, ane quarter, to Andro Gaderar ane quartar, to John Zoung, zoungar, and Dauid Tailzour ane quartar, and to William Gaderar, zoungar, ane quartar, ilk quartar

payand v li. at thwa termis in the zeir, Vitsonday and Mertemes, for all the dais and termis of iii zeris nyxt heireftir and fra iii zeir to iii zeir as lang as tha mak guid and thankfull pament to the tovne of the forsaid sovm, providing the forsaidis Ar., Androu, John, David and William occupy the samyn with thair avin propir plwchis guiddis and cotteris with lecence to all and sindry nychtboris, burgessis of this burgh, to cast dwuettis vpone the grenis of the said tovne and failzeand heirof the forsaidis takkis to vaik eo facto.

The quhilk day the prouest, etc., hes set the croft of Tayok syid and Spittell croft to John Vat, Androu Gibson and Alexr. Williamson for iii zeris for fovrte sillingis be zeir.

March 13th.—The assise deliuerit that Robert Zoung is in ane amerchiament for the wrangus slaying of ane zow pertinying to John Smyth, and sall deliuer the said Johne ane zow als guid or the just prece thairof.

The assise deliuerit that William Necoll is in amerchement for his wrangus broch striking vpone Andro Dauidson allegand the said Androu wrangusle held fra him iiii ellnis and ane quartar of color de roy.

The prouest and baillies decernit that the spovs of Thomas Void sall mak compt reknyng and payment to William Hay of xx s. for ane boll of quhit.

March 17th.—The assise deliuerit that Mvirzell Caldour wrangit in hir broch strikin apon Janat Anderson and Merzoun Pakman allegeand the forsaid Janat and Merzone callit hyr commownd hwir, pintill in pintill out hyr and ane horne at thair taill, freris hewir, and prestis hewir, and monkis hewir, as was giffin for dowme.

March 20th.—The sudaart decernit and deliuerit that the Annunciation of our Lady nyxt cumis auch and suld be assingit to James Wynk on the tayne part and lang Sande on the tother part to caus the arbitratoris convene in Sanct Gelis Kirk and thair commond eftir the forme and tenour of the actis maid abefoir.

The assise decernit that Necoll Moresone is in ane amerchiament for the vrangus trubling of the covrt sayand in jugement to Vm. Gray myllart carlle and dovme giffin thairupoune.

The assise deliuerit that James Vink vas in ane amerchiament for the vrangus defamyng of Vm. Byrneth sayand to him in jugement lovne fals *smaik* that the said Vm. was and siklik and he had him furth of the

tolboyth he suld hef amendis of the said V^m^., for the quhilk the forsaid James sall pay i li. vax. to Sancte Gelis lycht.

The assise deliuerit that V^m^. Birneth is in ane amerchiament for the vrangus saying to James Vink in jugement comond theif that he vas and that he suld hef beine hangit four zeir syne, for the quhilkis the forsaid V^m^. Birneth sall pay ii li. of vax.

1542.

March 30th.—The quhilk day V^m^. Gaderar, provest of the said bru^t^., and James Vrquhart, prouest of Forres, rasauit the ayth of John Forsyth, masar, in jugement efter the forme and tenour of our souerane lordis letteris directit to the forsaidis provost thairupone till vse the offece of serreschep in that part in ane matter 'debatabill betuyx Sir Thomas Brabuner, cheplan of Sanct . chepland vithin the chathedrall kirk of Murray and Sir V^m^. Hwme, chaplane of Sanct Niniane chaplanry within the said kirk and thair tennentis and subtennentis of the landis of Flychnes on the tain part and Sir John Campbell of Caldour, kny^t^., and all vtheris heffand entres with the saidis landis on the tother part efter the forme and tenour of ane commission derectit be our souerane lord to the forsaid John Forsyth to the effect forsaid as at mair lenth is contenit in the samyn vpone the quhilks rasauyne of the said John Forsythis ayth in jugement the forsaid Sir Villiam and Sir Thomas desirit act of covrt.

April 17th.—The assise deliuerit that Thomas Ayir wrangit in the masterfull cuming on Mununday efter Paysche day that last vas vpone David Gaw recentle efter the rasait of the blissit sacrament and pulling of the said Dauid Gaw be the crag and cruvellie halding of him at erd and putting of his thovmis in the said Dauidis crag and thairefter riffing of his flesch, clays and sark and leving him nakit and attour minassing of the said Dauid Gaw with ii stanis in his handis sayand to him thir vordis / be Goddis voundis youe sall nevir pas heyme or for fee the man to me and put thi thovmis vnder my belt, for the quhilkis wrangis the assise ordanis that the forsaid Thomas Ayir sall content and pay the sovme of xx s. vsuall money of Scotland in sythment to the parte, and gif evir the said Thomas committis sic ane falt or cryme to be banist this burgh and tyne his fredome perpetuall.

Comperit in jugement Sir Archibald Chayne, chaplane, and desirit erd and stane of ane ruid of land pertinying to James Hay lyand on the sovth syid of this bru^t. for non pament of certane byrunne anvellis auch to him and this at the first court for proces of recunnessing quhilk erd and stane was rasit of the sayd land and presentit in jugement be Thomas Kar, officiar at the baillies command, befoir thir vitnes, John Baldone, Mychell Etlis and John Taillzour.

[Margaret and Janet Froster, sisters to the deceased Sir Andrew Froster, are served heirs to him in a rood of land on the north side of the burgh.]

The assise deliuerit that Alexander Chapman, alias Lang Sande, wrangit in the defamyng of Ellene Ternvay on Pais day, sayand Ellene slew ane gryis pertinying to him and that sche eit the samyn on Paische day that last vas, for the qlk sclandir and defamation the assise ordanis that the forsaid Langsande sall desyr forgiffnes at the said Ellene and mak his greit ayth that he knavis to hir bot lauty honesty and is ane trev persone.

The quhilk day Villiam Hay vas, with consent of the prouest, ballies, consell and haill communate beand present for the tyme, maid freman and burges of this burgh, and maid his ayth off fidelate to the Kingis graice and to this burgh as vse is payand vi s. viii d. quhen it beis requirit be the baillies.

The assise deliuerit that Angnes Thorne is aquit of allegit wrangus avayhaldin of ane sark fra Ellene Ternway of iiii ellnis lynnyng as sche that sweir in jugement that sche rasauit the samyn.

April 20th.—The assise deliuerit that Effe Sandesone vrangit in the masterfull streking of Ellene Murray with ane tanggis on the gardes and hurting of hir with the samyn, for the quhilkis wrangis the said Effame sall ramain xxiiii hovris in the tolboyth at the vill of the party.

May 19th.—The assise deliuerit that Meget Froster wrangit in the blaspheming of Robert Dauidsone calland him commond theif and kill brekar, for quhilk iniuris the assise ordanis that the forsaid Meget Froster be banist this brugh instantle.

May 22nd.—The assise deliuerit that Nicoll Moness is aquit of the allegit wrangus saying that he suld cut Angnes Stonis kirtill to hir a——, and the said Angnes in ane amercheament for the wrangus broch strik.

The assise decernit that Bessie Mores wrangit in the calling of Angnes Stone thiffis bird, lipper menis bird, and that hir moder was drownit in ane wal.

The assise decernit that Angnes Stone vrangit in the saying to Necoll Moressone that shayth war it to gadder ane dussane of quyins and gar lesch him quhill tha var ane inch of him togidder, for the qlk sche is in ane amerchiament.

June 26th.—The assise deliuerit that the moder of the spous of Hendre Couper salbe banist instantle out of the boundis and fredome of this brut. perpetuall.

June 30th.—The assise deliuerit that Cristen Varden wrangit in the calling of Margarat Froster vild meir, comond huyr and theif.

The assise deliuerit that Margarat Froster wrangit in the striking of Cristen Varden with ane pan vpoun the heid and draving the said Cristenis hair to greit quantate out of hir heid.

July 6th.—The baillies decernit that William Gregor aucht and suld deliuer to Johne Moir ane firlott of meill and ane halfdysch betuyx this and Sancte James day.

July 18th.—The assise deliuerit that Megot Stuart wrangit in the defaming of Ellene Ternivay and Margarat Ternivay calland the said Ellen and Margarat shabbit, clangorit carlis birdis.

The assise deliuerit that Ellene Ternway vrangit in the calling Megot Stuart schabit, blerit, clangorit carling.

August 28th.—The assise deliuerit that Elizabet Sutherland wrangit in refusing to sell breid of eitts to Thomas Kar, freman, albeit sche had the samyn and sald to vtheris.

September 11th.—An inquest fand and deliuerit that Vm. Birneth being ane vnfreman wranguslie forstallit the burgesses and freemen of this brugh of Elgin in bying of ane last of salmon fra vnfremen being pakit at the port of Spey efter the quhilk deliuerance the saidis jugis conforme to our souerane lordis letteris and actis of parliament eschetit the said last of salmond the tain half thairof to pertene to oure souerane lordis vse and the tother half of the samyn to the tovne of Elgin and the said Villiam Byrneth forther to be punisit according to justice.

October 2nd.—The quhilk day Johne Zoung, elder, ves electit and chosine provest be the haill communate for ane zeir nyxt to cum and sworne to exerce the samyn offece trelie. The quhilk day Allexander

Vynchistir, zounger, Johane Zoung, zoungar, Robert Gaderar and Dauid Harde var electit and chosin and sworne baillies for ane zeir. [Four officers were also elected and William Gaderar was elected common clerk and James and William Levingstone dempsters all for one year.]

November 20th.—[The Common Council consists of the provost, four bailies and ten other Councillors.]

The prouest etc. hes set the comond tollis with the schamill maill to Dauid Tailzour for the spaice of thre zeris for the sovme of thventy aucht markis and ane stain of thalch zeirle.

The prouest etc. hes assignit ane auchenpart of land lyand vithin the grechip of this brut. and ane part thairof in Baldonishalch to James Vat and that be the resignatioun of John Brovne and the entres siluer dischargit to the said James for the surfet expensis maid be him in the Kingis servece at the tovnis command novlie affor this act.

The assise deliuerit that Andro Skabertmakar wrangit in the avayhalding of ten sillingis money in pament of ane suord fray William Hay in Innerlochy.

The assise deliuerit that Janet Hay vrangit in the trubling of Angnes Baldovne dravand hir hair and reving of hir clais and dinging of hir in the mylln.

The quhilk day Allexander Chepman, alias Langsande, comperit personale in jugement as he that was replegit be John Zoung, zoungar, baillie of this burgh, out of ane reverand faderis court Patrik, bischop of Murray, quha vas arrestit at the instance of James Vink and souerte collarach fundin that the said James suld hef justice this day within this covrt as terme peremptour of the forsaid Allexander, Quhairfor the forsaid Allexander being present at the fensing of this court and ramanand q^ll. the end of the samen and the forsaid James nor nain in his name comperand to persew, the forsaid Allexander protestit that this terme and day be obsoluitour simpleciter fra the said James cleme be rasone that this day vas effixit as terme peremptour as he allegit vpoune the quhilk protestation the said Allex^r. desyrit act of covrt.

1542-3.

January 8th.—The quhilk day the baillies commandit Villiam Aldcorne, seriand, to pas to the land of Andro Alves, lyand in the south

syid of this brut. betuyx the land of Marrone Rag at the vast and the land of Johane at the est and bring erd and stane of the samyn at the instance of Sir Thomas Rind, vicar pensioner of this burgh, for non pament of x s. annell zeirlie, and this the forsaid officiar did befoir thir vitnes, William Gray and Allexr. Covper for the first covrt.

January 15th.—The assise deliuerit that William Milln auch and vald gif ane dais burd to Sir Thomas Rag ilk fourtene dais ay and quhill the said Vm. caus the consell assigne the said Sir Thomas to ane vthir nychtbour / and attoyr the said William sall content and pay for ilk day viii d. that the said Sir Thomas vill mak the greit ayth he vantit of him bygane and dovme giffin thairupoun.

January 29th.—The assise fand and deliuerit that Johne Bayne wrangit in the defamyng of Sir James Kar in the saying that all his motheris barnis war commond thevis.

The assise deliuerit that John Bayne wrangit in the avayhalding of ane dayis burd ilk fyftene dais sen the viii day of Maii last bypast fra Sir Thomas Kar and sall content and pay the just awaill thairof.

1543.

April 2nd.—The prouest commandit to put Villiam Hay, sone to vmqll. Sir Thomas Hay in the suitroll for . ruidis of land and ane half conform to his evident maid thairupoun, lyand betuyx the land of Besse . at the vest and Master Allexr. Douglas at the est, extending fra the Kyngis he get at the northt to the bak get at the sovth vpoun the south syid of this brut.

April 9th.—The assise deliuerit that Johane Barbur auch and suld content and pay to Sir James Kar his iust expensis for ane dayis burd ilk xv dais that the said Sir James vill mak fayth that he vantis of him and attour sall continev vyth the said John Barbur quhill the terme of Beltane nyxt to cum.

Anent the actioun of iniuris persevit be Master Thomas Gaderar, persoun of Mortlik, contrar and aganis Villiam Saidlar and his spous, Elezabeth Sutherland, that quhair the said Villiam Saidlar and his said spous said and callit the said Master Thomas on the kyngis hee stret in presens [of] diueris strangeris javell prest, crukit carlis get, theif carle

and cumm of carlis and siklik vtheris iniurius vordis / the forsaid Villiam and Elezabeth beand accusit be the movth of the provest for the samyn thay cam in the provestis vill and thair efter the provest be the avys and deliuerance of the assise decernit and ordanit that the said Villiam sall cum on Sonday nyxt cumis in tyme of the confiteor of the hee mess and thair in presens of the haill parochine beand present for the tyme sall ask the said Master Thomas forgiffnes and say that he falit in the saying of the aboune writtin iniuris and offir to the forsaid Master Thomas ane vax candill contenand ane quartar of ane pund / and attour the assise ordanis and decernis that in cais the said Villiam and Elezabeth commit sic ane falt in tyme cuming thay be the tenour of this act depreves tham of thair fredovme of this brut. and salbe banist the samyn for ane zeir.

May 12th.—Cutbert Cuming dischargit him off Sir Thomas Rag, chepland, in giffin him a part of his burd fra the last terme of beltan forvard in cais that the said Cutbert be nocht providit and helpit with a part of the commond landis nov vacand quhairby he ma sustene the said cheplane, vpoun the quhilk discharge and requisitioun of the provest with the forsaid landis the said Cutbert desirit act of covrt.

May 21st.—The prouest and baillies decernit and ordanit that Janet Moneypenne alias Vallace vif suld content and pay to Robert Murray in Findorne fourty penneis for ane half zeiris maill of ane cellar in our Lade heych hous.

The assise deliuerit that Hendre Covper vrangit gretumlie in the saying to Ar. Vynchistir, zoungar, ballie of this brut. / quhy rasauit ze the chist than / for the quhilkis tha ordane the said Hendre to set dovn in jugement and desyr forgiffnes at the said Alexr. and mak fayth he said the sayd vordis of malice / and to deliuer ane candill of vax contenand half ane pund on Sunday that nyxt cumis to the viccar of Sanct Gelis kirk.

May 28th.—The quhilk day John Gaderar was kend nerest and lauchfull ayir to his vmqll. fader, Allexander Gaderar, zoungar, be ane conding inquest.

June 5th.—Comperit personale Marcus Abernethy and presentit ane broch allegand that Johane Smyth and his wif wrangit and aganis the law tuik ane pakcall of geir fra the said Marcus to keip within the said John Smythis hous quhilk pakcall contenit within it ane plaid of ten

ellnis prece xx s., ane kirtill of franch blak, prece four li., ane maid pair of hois, price viii s., sax quartaris hosing quhyt, price sax sillingis, ane pair of knyfis, price ii s., thwa pair new schowin, price xxxii d., ane breid knyf four sillingis and ane doublet of canves, price vi s. viii d. [John Smith and his wife denying, the case is referred to an assise of fifteen persons who find that John Smith and his wife are quit of the claim.]

July 6th.—Valtir Innes vas decernit to pay to Johane Innes xxvii s. vsuall money for ane ferekin of saip.

The assise deliuerit that David Gaw wrangit in the masterfull streking of Effe Sandesone, spous to Androu Gibsone, and castand the forsaid Effam and hir zoung barne in hir armis in ane myir and giffing of hir iniurius vordis and attour deliuerit that the forsaid Dauid wrangit gretumlie in the filing of John Zoungis well by d——in the samyn and siclik that he wrangit in the saying that he vald do the samyn in despiyt of the provest for the quhilkis the said assise ordanis that the said Dauid sall set dovne on his kneis in jugement and desyir remit at the provest for the falt committit to him and for that cryme and the vtheris aboue writtin salbe remouit this brut. fra inhabitatioun in dwelling within the samyn for the spaice of ane zeir nyxt heir efter and that he sall nocht weir ane knyf nor sword within this brut. induiring the forsaid spaice and sall clens and dycht the vell filit be him incontinent, felzeand thairof his redeast guidis to be takin to do the samyn.

Angnes Robertsone tuik the penult day of this instant moneth to preve compt, rekning and pament to Alexr. Vynchister, elder, of five bollis 1 fir. ferme of tua zeris bygane for ane croft and ane quartar of the Suyttynakiris.

John Bayne tuik the penult day of this moneth instant to preve that Johane Innes, elder, bocht ane haberioun for vi lib. fra the said John Bayne.

The assise deliuerit that Valtir Innes sall content and pay to Johanne Innes ane crovne of gold contennand xxii s. or xxii s. quhit money quhilk crovne vas deliuerit be the said John to the said Valtir in arlis of ane biging in part of pament thairof and nocht as tynt money in cais the remanent money vas nocht pait.

July 30th.—The assise deliuerit that the spous of Magnus Russell wrangit and is in ane amerchement for the wrangus blasfemyng and defamyng of William Cuming calland the said Villiam wolf facit carle

with diueris vtheris iniurius vordis for the quhilkis sche sall remane xxiiij hovris within the tolboyth at the vill of the party.

David Tailzour beand sworne, the haliedome be him twychit, deponit that Johne Bayne vas avand to him the sovme of thre li. iii s.

Thomas Smyth becom oblist and actit to releve Johane Tailzour at the handis of Sir Alex^r. Sincler of ane boll victell.

August 20th.—The quhilk day Allex^r. Dunbar of Cumnok, sereff princepall of Elgine and Forres becum oblist of his avyne fre vil to grant to varrand Johane Innes at the handis of John Bayne of ane haberioune / quhilk the said Allex^r. Dunbar grantit him hevand in his possessioun and arrestit be his officiaris at the instance of Johane Grant of Balnadaloch as stollin fra the said Johne Grant as he allegit.

V^m. Douglas, elder, paroch clerk of Elgin personale present in jugement protestit that quhat the provest, baillies, consell and communate dois or hes dovne tovart the presenting of or avay giffing of thair ellectionys of the said paroch clerkschip to my erle of Murray, Master Thomas Hay or ony vtheris be not hurt or preiudece to him.

August 23rd.—The prouest at the command of the baillies consell and communaty assignit ane of the auchenpairtis quhilkis var possedit be wmq^ll. Sir Thomas Hay, vicar of Duffus (and now vacand be the said Sir Thomas deces) to Villiam Malcome, burges of the said bru^t. and dischargis all entres siluer or vtheris exactionis quhatsumeuir to the said Villiam for his expensis and laboris to be maid now instantle in ryding with the erle of Murray to the Month for besenes concernyng the veill of this realm providing that the said Villiam sustene ane preist to the vphald of Godis seruice according to the quantate of the said land as vtheris nychtboris dois. [The other auchten part that belonged to Sir Thomas was assigned to John Watt for like service, and on like conditions. Janet and Mege, sisters of Sir Thomas, had been legally served heiresses to him. The claims of William and James, the vicar's sons, were naturally disregarded in these proceedings.]

October 1st.—Comperit personalie in jugement ane devoit fader freir Johane Cristisoune, subpreor of the freris predicatouris of this burgh, and oppinlie presenttit ane protectioun grantit and giffin be our souerane lade Mare Quene of Scotland w^t. awise consent and authorety of hir derrest cousing and tutour, James Erle of Arran, Lord Hamiltoune, protectour and gouernour of this realme to the provinciall, prioris, bredyr

and sisteris of the said ordour within thes realm as at mair lenth is contenit within the said protectioun, daittit at Stirling, the auch day of September, in the zeir of God I^{M}. V^{C}. and xliii zeris, and subscrivit with the said tuttour and gouernoris handis. Efter the quhilkis presentation and publict reding of the said protectioun the forsaid fader desirit act of court.

William Gaderar, elder, was electit provest be all the haill communate present for ane zeir.

October 15th.—The prouest and baillies with avyise of the consell causit ane officiar to pas to the mercat croce and siclik to the tolbouytht duyr and thair be oppin proclamatioun chargit all personis our souerane ladeis legis that nayne of tham mak ony mercat by or sell with Megott Trovp, spovs of James Vat, becaus it is knawin that the said Megott is ane inordinat delapedar and vaister of hir said husbandis guidis.

October 29th.—John Bayne being persevit be Sir James Kar for the wrangus avayhalding of ane dais meit anis ilk fyftene days sen Januar vas ane zeir the forsaid Johane Bayne tuik the fyft day Nouember to preve him dischargit of samyn clayme ay and sen the dayt of ane writing maid betuyx the said Sir James Kar and the said Johane Bayne.

November 19th.—John Bayn beand persewit for the wrangus withhalding of ane dais burd from Sir James Kar anis in the vik for ane zeir bypast togidder with ane other dais burd ilk xv dais sen ane zeir and a half bygane the said John hes tayn the thrid day of December to preve the premises dischargit.

December 3rd.—John Bayne vas decernit to pay to Sir James Kar the just expense and availl for ane dais burd ilk xv dais sen the makyng of ane writine and dait thairof quhair the said Sir James dischargit the forsaid Johan of all burd afor the dait of the samyn for the sovme of xiii s. iiii d.

December 10th.—The prouest and baillies decernit and ordanit that pindis suld be rasit and apprisit of Allexander Williamsoun to Sir James Kar for the availl of the said Sir James burd bygane samekle as he vill mak fayth he vantis and sall in tyme to cum contenov with the said Sir James q^{ll}. he be dischargit be the consell of this burgh.

The assise deliuerit that Jonet Zoung, spous to Androu Milln, hes just titill and rycht to ane almery boycht fra Antoun Hossak for xxx^{ty} vi s.

James Murray vas decernit be decreit of court to content and pay to

Allexander Barklay the sovm of x s. quhilk was modefeit be the provest and baillies for the leching of ane vound on the said James arme.

1543-4.

January 21st.—The quhilk day anent the lamentable complaint mayd be Alex^r. Malcom to the provest and bailzeis vpoun Angnes Stone, his spous, schawand quhair the said Angnes hes sauld, disponit and vaistit his guddis and geir to his greit schait and harschip besekand the provest and bailzeis forsaid to put remeid thairto according to justice, Quhairfor Villiam Kyncorne, officiar, past at the command of the forsaid provest and bailzeis to the towboyth duyr of the burgh and oppinly command and chargit all and sindry personis that nan suld by, sell nor reset ony guiddis pertenying the said Alexander and Angnes his spous in tym to cum vnder the pane of law with certificatioun to tham and every ane of tham that the guddis rasauit fra hir be tham salbe deliuerit to the said Alex^r. hir husband without satisfactioun of the guddis or money debursit be the resettoris.

February 11th.—Master Alex^r. Douglas, soun and ayir to vmq^ll. James Douglas, on the tain part and John Bayne on the thother part, becom oblist and sworn in jugement to abid, stand, vnderly and fulfill the sentens, decreit and deliuerians of honorabill men, that is to say, William Hay of Main, James Innes in Drany, Master Hew Cragy and Sir Souering Stuart or ony tua of tham as amicabill compositouris with Master Gavin Leslie, persoun of Kyngusse, ourman anent the claym of certane ayirdovme clemit be the said Master Alexander fra the forsaid John Bayne and siclik all and sundre vther clamis betuyx bayth the said parteis and the saidis personis to be convenit be ony of the parteis and to begyn on Sunday that nyxt cumis, viz., the xvi day of Februar instant within our Lady Iill of the Cathedrall Kirk of Murray efter novn the sovne beand vp and to decyd and deliuer in the said actioun betuyx that and fastenis evin nyxt thairefter.

February 18th.—Villiam Innes, flessour, vas decernit to content and pay to Sir Johne Chanvell xii s. vsuall money.

The assise deliuerit that Thomas Elder auch and suld releve ane pot pertenying to Marroun Murray out of Sir Archibald Coventras handis

quhilk vas takin for the said Thomas annellis to be deliuerit to the said Marroun.

Gilbert Kemp vas acquit of the claym of lvi s. of bow caill, clamyt be Thomas Nevane.

March 22nd.—Angus Williamsoun, bastard sonne to William Lauchlansoun, presentit ane ligitimatioun of our souerane lade the quenis graice grantit to the said Angus to William Gaderar, elder, provest of the said brut. to be proclamit at the mercat croce and thairefter the said provest causit proclame the said ligitimatioun as efferit quhilk ligitimatioun vas giffen vnder our forsaid souerane Ladeis great seill at Edinburgh the xv day of Januar in the zeir of God I^M. V^C. and fourte thre zeris.

1544.

March 31st.—The assise deliuerit that John Bayne is acquit of the cleym of ane rois nobill clamit be William Douglas.

August 18th.—Johane Stuart, burges of Dunde, becom in the tovnis will for certane actionis vnder written that is to say, for breking of bovik of certane small salt being in his schip and nov within our port of Spey and selling of the samyn to Allexander Rodan and James Rodan, vnfremen, and siclik for the vsing of ane vthir mesour nor the comond mesour of this brut. to met the said salt and attour for the breking of ane arrestment maid be John Murray, officiar, vpoun the said salt and siclik for the refusing of the sise boll to the bailleis and dovme gevin thairupoun.

The assise deliuerit that David Tailzour hed juist rycht to v zeris tak of samekill of our Lady heycht hous as he tuik fra Robert Murray payand to the said Robert zeirly xl s.

August 25th.—John Bayne and Andro Mylln, burgessis of this brugh becom in the tovnschipis will for the wrangus bying of the guiddis being within ane fransch schip within the privilege of this brugh quhilk tovnschip hes dischargit the will and wrang for guid causis and statutis that in cais ony burges or vthir persoun do sic lik in ony tyme to cum the burges to tyne his fredovme and the stallinger to be banist for zeir and day.

October 6th.—James Pedder, officiar, past at the command of the provest and baillies to the land pertening to Androu Alves and thair

Omnibus hoc scriptum visuris vel audituris Thomas de Wintoun Come
Menteithie Alexandri Regis Scotorum illustris quondam burgo & burgen
ibidem in villa sua pre suspectum si omni vitio pursus & suspicione tenentur
quod tenor talis est de verbo ad verbum Alexander dei gracia Rex Scotorum om
carta mea confirmasse burgensibus meis de elgyne vt ipse ad melioramen
ideo libam sicut aliquis burgorum meorum in toto regno meo quidam suum
ne de Abnech Willo & bernardo de monte alto Alexandre de dyn
regni mi vicesimo Quam quidem cartam in omnibus suis punctis &
mus & gtem in nobis est tenere pacem p nos & heredibus meis imperpe
sic concursia vel questio inter istum tpm nec nos & pdcos burgenses in
habunt & habunt eadem leges consuetudines & libertates burgorum p tem
ipos in easdem legibus consuetudinibus & libertatibus manutenebimus imperpe
fecimus apud elgyne vicesimo pdo die mensis Januarii Anno dni millesimo

CONFIRMATION CHARTER BY THOMAS DUNBAR, EARL OF MORAY, TO THE GUILDRY OF ELGIN, 1396.

rasat erd and stane and presentit the samyn in jugement at the instans of Sir Archibald Coventry, cheplane and procurator for the cheplanis of the Chenroy Kirk of Murray, for non-payment of vi s. anvell zeirlie to the said cheplanis and this is for the third covrt befoir thir vitnes William Murray and Ferquhar Flessour.

October 12th.—The quhilk day for stanching of the greit trubill and cumyr dale maid to the provest, baillies and wtheris nychtboris of the said brugh be Sir James Kar, cheplane of the ruid seruice within the paroch kirk of the forsaid brugh / consernyng the vant of the forsaid Sir James dalie sustentatioun of meit and drink for all the dais of the said Sir James lyftyme / auch be the saidis provest, baillies, nychtboris and thair successoris of the said brut. / lik as instrumentis, sententis, actis and wtheris processis gottin thairupoun proportis, nochtwithstanding the premissis it is fynalie concordit and agreit betuyx the prouest, baillies, consell and communate present for the tyme for them and thair successoris . . . that the forsaid Sir James Kar sall hef zeirlie tueff merkis wsuall money of this realme to be pait at tua termis in the zeir viz. Vitsounday and Mertemes be equall portionis out of the comond purs of the said brugh / . . . for all the dais of the said Sir James lyftyme in compleit pament of the forsaid Sir James sustentatioun of meit and drink for the quhilk the said Sir James dischargis the provest, bailzeis, consell and communate present and to cum of all burd and sustentatioun in meit and drink bygane and to cum . . . providing alvais that the forsaid Sir James contenew in dwing and vphalding of Goddis serwice twyching the kirk and schovill in tymeis to cum as he hes dovne in tymes bygane . . . Ita est dñs Jacobus Kar manu propria.

November 17th.—Alexr. Watsoun vas decernit to deliuer auch franch hattis to John Bayne.

December 15th.—Twyching the claym of ane tertan plaid clamit be Androu Brus fra Jonet Leslie / and siclik the claym of ane russett cloik clamit be the said Jonet fra the said Androu it is ordanit by the prouest that bayth the saidis parteis preve the availl of thair clamis.

Martein Slaitter vas decernit to pay to Allexr. Milln the sovm of ix s. for vi brok skynis.

1544-5.

January 12th.—The quhilk day Johane Murray, officiar, past at the comand of the provest to ane ruid of land lyand on the southt syid of

said burgh betuyx the landis of Marroun Rag on the vast and Archibald Stronoch on the est and thair rasit erd and stayne and presentit the samyn in jugement at the instans of Sir Archibald Coventry, procurator for the haill cheplanis of the Chanonry Kirk of Murray for non pament of vi s. annell zeirlie to the said cheplanis and this as the ferd court befoir thir witnes Johane Baldoun and Alex^r. Murray.

The quhilk day Johane Murray, officiar, past at the command of the provest to ane ruid of land pertenying to Androu Alves lyand on the sovtht syid of the said bru^t. betuyx the land of Archbald Stronoch at the est and Merroun Rag at the vast and thair rasit erd and stane and presentit the samyn in jugement at the instans of Sir Thomas Ruid, vicar pensionar of Elgin and collector to the haill cheplanis of the paroche kirk forsaid for non pament of v s. annell zeirlie to the said cheplanis, and this for the fyift court befoir thir witnes Allex^r. Murray and Johne Baldoun.

March 12th.—Sir Andrew Forstir, cheplande, maid Sir James Kar, chepland, Johane Zoung, zoungar [and others] his procuratoris [in an action against John Robertson].

1545.

May 11th.—Comperit ane honest, grave agit man, William Dowglas, eldar, and gaif in ane lamentabill complentt and petitioun in write beand oppinlye in jugement red, berand in effect that the said Williame hes bene of befoir ane honest, substantious gentleman and nychtbour and sum tyme bailze, provest and gyll brother off the said brugh, and had in guidis sufficientlie and honestlie to sustene him quhilkis be the hand of God hed failzeitt and throch favor and delectation he hed to his son, Gawyne Douglas, resignit the maist partt of his heretage and landis . . . with reseruation of the frank tenement of the saidis tuo ruidis and ane half of landis and croftis to the said William Douglas for all the dayis of his lyftyme bot alsua to dispone the same in tyme of necessate gif the samyn happin to the said William Douglas . . . the said Gawyne Douglas in fraude, hurt and preiudece of the said William his fader without his consent maid ane alienation of the saidis landis and croftis to Master Thomas Hay without ony maner of respect to the said

William his faderis frank tenement . . . the said William Douglas besekand me, William Gaderar, provest of Elgin, to cays be warnit the saidis Gawyne Douglas and Master Thomas Hay befoir ane assise in termis of divers burrow lawis maid be kingis of Scotland [having power to dispone and sell the said lands and crofts for his sustentation in his great indigence. Master Thomas Hay appeared for himself but Gavin did not appear]. The assise (fifteen in number, including Peter Thomson "pursavant of Edinburgh") deliuerit that the said William Dowglas was for the instant tyme cum in and fallin in gryt indigence and povertie nocht hawand na maner of mowable guidis to the avale of v s. to sustene him on and that his guids nocht put away nor dilapidat in the said Williamis defalt and thairfor that the said William Douglas be vertew off his gryt necessate and indigence oppinlye and manifestlie knawin to all his nychtboris off the said burgh and be the tenour and affect of the instrument of transumpt and lawis of Scotland producit and as was perfytle knawin to the said assise hes full power to sell and dispone his saidis tua ruidis and half ane ruide of landis and croftis for his neidfull sustentatioun be resoun that the franktenement of the saidis landis and croftis and profettis thairoff mycht nocht honestlye sustene the said William Dowglas and als becaus the said Master Thomas allegand interes to the saidis landis and croftis beand requyrit in jugement to sustene the said William Douglas in sobir maner refusit and thairfor it was fundin be the said assise lesum to the said William Douglas to sell and dispone apon the said landis and croftis.

May 15th.—Andro Mylln becom oblist as souerte for Thomas Brode of that ilk to releve the executoris of ane umq^{ll}. noble Lord James Erlle of Murray, quhom God assolze, at the handis of Mathew Duncansoun of ane certane sovm of money left be the said wmq^{ll}. Erle in his testment to the said Mathew for the quhilk sovme William Hay of Mayn is becum souerte to pay the forsaid sovm to the said Thomas Brode of that Ilk . . . and siclik the said Androw Mylln, souerte for the said Thomas Brode to deliuer ane brovne hors betuyx this day and viii hovris at evin of the xvi day of this instant moneth to ane noble Lade Elezabet Countes of Murray quhilk hors was takin be the said Mathew fra the said Lade.

June 1st.—Alexander Falconer previs ane suord deliuerit be him was vorth xxv s. iiij d.

Andro Mylln as he that allegit him taxman (conform to taxation contenit in the kyngis actis) to the haill biging and land callit our Lady hous protestit in jugement for vi s. i d. ilk day that Alex^r. Tailzour ramanis in the said land.

The assise deliuerit that Androu Boneman as ayr to Edvart Boneman sall content and pay to Besse Kynnard the sovm of iii li. vsuall mone vnder this restrictioun that the said Besse sall suir the grete ayth and tua leill men in hir handis / quhilk men salbe considerit famous be the provest / that sche deliuerit the said sovm of iii li. to the said Edvart and hes nocht rasauit pament thairfor in ony sort bygane.

June 5th.—Alexander Milne becomes oblist to give a zeris tack of a buyth in our Lade heych hous for xiii s.

June 16th.—The relict of David Tailyour offerit to preve that sche hed certane zeris takis to cum of ane part of our Lade Heych hous qlk Andro Milln clemit to have tax of the same.

The assise deliuerit that Margarat Hay wrangit in the oppin sclandering of Margratt Baffour sayand the said Margarat Baffour vas ane huyr and ane wyche and that sche zeid widersonnis about mennis hous sark alane and hir hayr abone hir eyne for wyche craft, for the quhilkis iniuriis and wrangis the said assise ordanis the said Margarat Hay sall mak the greit ayth that sche knavis nocht bott gud and honeste to the said Margrat Baffour and sall ask the said Margarat Baffouris forgifnes in jugement and gif sche beis fundin in tym to cum flytand or sayand sic iniurius vordis to ony persoun within this bru^t. sche sall be utterlie secludit this bru^t. and banist thairfra.

Mr. Andro Strang, chaplane of the chaplanry of our Lade within the paroch kirk of this burgh claims certane croftis fra John Robertsoun . Mr. Andro Strang maid Sir John Gibson and Sir Androu Vallace, chaplanis, his procuratoris in his action against John Robertson.

July 6th.—[As Lady Chaplain Mr. Andrew Strang owned three crofts] The assise find that John Robertson has done na wrang.

July 24.—The quhilk day Hendre Wynchistir, James Gardyn, James Mychell, Robert Innes, William Adam, William Bolmanach and Gilbert Kemp war maid fremen and sueyr the ayth of fedelate as vse is, ilk persoun to pay the sovmes vndir writin respectiue James Gardin to ryid to the oist and to gett to support him . s., Hendre Vynchistir siclik, James Mychell to pay xl s., Robert Innes xiii s. iiij d., William Adam xxvi s. viii d., William Bolmanach . s., Gilbert Kemp xx s.

September 9th.—The assise deliuerit be the movth of James Innes of Drany, chancler of the samyn, that James Murray and Thomas Wmffray respectiue wrangit in the outtaking, filing and hewing of the trein corce anent the Gray freris vynd of this burgh, that is to say, the said James for the outtaking and filing thairof and the said Thomas for the cutting and heving of the samyn, for the quhilkis the said James salbe put in ane pair of stokis during auch dais and auch nychis nyxt heireftir contegue with the said corce, and the said Thomas notwithstanding his absens to be punist quhov sovn he may be apprehendit in sembable maner.

The assise deliuerit that Wyncent Robertsoun, Robert Murray, Thomas and Johne Clerak, Bleis Alves, James Murray, Thomas Vmfray and Alex^r^. Eitlis wrangit in leving the rovm commandit to tham to vach be the baillie the last Sunday at evin, for the quhilk tha and ilk ane of tham sall ramayn within the tolboyth ay and quhill souerteis be fundin that thair vnlawis be payt vnforgevin.

The assise deliuerit that Androu Allan wrangit in the maisterfull streking and bluid drawing with ane knyf of Robert Mawar, he being in the tovnschip seruice kepand the eist port, for the quhilkis the said Androu sall ramayn xlviii houris in the tolboyth and thaireftir be banist the burgh for zeir and day but ony remissioun.

October 12th.—Sir Archibald Chayne claims xvi s. byrun anvell auch to him of the land of umq^ll^. Donald Grant quhilk landis lyis on the north syid of this burgh betuyx the landis of Jonet Reidheid at the est and the land of vmq^ll^. Henre Murray at the vast extending fra the quenis hee gett at the sovth to the gett gais to the chepell hill at the north.

The quhilk day Alexander Sutherland, sovn and apperand ayir to vmq^ll^. Villiam Sutherland of Duffus, was maid burges and freman of the said bru^t^. be the consent of the haill communate present and sueyr the ayth of fedelate as vse is and pait v s. with ane purse quhilk vas gevin to big the vast port.

The quhilk day thair vas assignit Munnunday viz. the xxv day of this instant moneth to the personis vnderwritin to produce thair evidentis of the landis vithin writin to be enterit for the samyn in the suyt roll that is to say William Hay for the land vas wmq^ll^. Corsindais, Robert Murray for the Lade heych hous etc.

John Watt pait xx s. to big the vast port on his entry to ane auchen part resignit be Thomas Gaderar, eldar.

November 16th.—[John Cowe bought an auchtane part for six merks from Agnes Robertson.]

The haill tovn hes sett the haill tollis and schemill maill for thre zeiris nixt heireftir for twente four merkis vsuall money and tua stayn of tallovn zeirle.

1545-6.

January 21st.—George Cruksank, chepman, becom in the provestis will for the wrangus passing to Aberdein and cumming within this burgh hestele thairefter the said burgh of Aberdein beand inset with the pest the tym of the said George being thair / and thairefter the provest decernit for his will that the said George sall noder opin nor stek nor vse merchandece within this burgh for zeir and day.

February 7th.—The assise deliuerit that Alexander Wynchester, elder, William Mylln and James Vatt sall gif Sir Thomas Rag his burd as tha begovid with him respectiue ay and quhill tha be deschargit be the consell of this brut. and failzeand thairof sall pay him his resonable vagis thairfor / and siclik tha and every ane of thame sall pay quhat he vantis of tham bigayn be the greit ayth of the said Sir Thomas.

February 25th.—For the veill of Thomas Zoung, puber, Sir William Zoung, cheplan his fadyr brodyr for releve of part of cuyr of ane venerabill fader in God Alexander preour of Pluschardin and for the veill of his brodir sovne accepit in jugement on him the offece of ane substitut to the said venerabill preor ellectit curator to the said Thomas in the said offece of curatore and vas sworn to the dew administratioun of the said offece.

1546.

March 29th.—It is statut and ordanit be the haill tovne that in caiss that ony nychtbour leif his greschep land waist and ley than it sall be lesum to the nychtboris on ilk syid to labour the nerest half evesest (? ewest) to tham for that zeir without ony maill paying.

May 4th.—The heid burrow court of Elgin haldin be William Gaderar, eldar, provest, Dauid Harde, Androu Gaderar and Alexander Taillzour, baillies, within the tolboyth of the samyn the ferd day of Maii in the zeir of God I^{M}. V^{C}. and fourte sax zeiris.

The quhilk day We, William Gaderar, eldar, provest of the said brut., Andro Gaderar, Dauid Harde, Alexander Tailzour, and William Gaderar, zoungar, baillies of the samyn, with consent and assent and command of the haill consell and communate of the said brut. for the vphald of the seruice of God to be dovne within the paroche kirk of the forsaid brugh hes conducit and be the tenour heirof conducis ane discreit man Sir Thomas Rage, chepland, for all the dais and termes of his lyvetym to say mes and sing devyn service within the said paroche kirke with the wtheris cheplanis and chorestouris in the said kirke at all dais, houris and tymes he beis disposit thairto / and we, provest, baillies, consell and communate forsaidis for vs and our successouris in all tyme to cum during the said Sir Thomas lyvetym bindis and oblise vs and our successoris be the faythis and trwthis in our bodeis to content and pay to the said Sir Thomas Rag the sovm of sax merkis vsuall money of this realm at tua termis in the zeir viz. the tayn half thairof at Witsunday and the toder half at Martimes in vyntir Togiddyr with his honest burd in auch nychbouris hovsis or in fourteyne at the maist And attour we oblise vs and our successouris in caice ony cheplandry or seruice within the said paroche kirke attouris our paroche clerkschip happin to vaik throch the decese off ony possessour thairof beand at our presentatioun and gyft to gif the samyn to the said Sir Thomas and to present him thairto the said Sir Thomas oblisand him to the seruice aboyn writin and dischargand vs of his zeirlie fie and burd as said is and for the obserwing of the premisis we the forsaidis provest and baillies for vs and our successouris and in naym and behalf of the haill consell and communate of the said brugh hes subscrevit thir presentis with our handis and for the fulfilling of the part of the said Sir Thomas Rag he hes subscrevit the samyn siclik day zeir and plaice forsaidis befoir thir vitnes Sir James Kar, Alexr. Wynchistir, zoungar, Johane Pantoun, Sir Thomas Robertsoun and Thomas Trovp with wtheris divers to the subscriptionis, William Gaderar, provest, wt. my hand / Dauid Harde wt. my hand / Andro Gaderar wt. my hand / William Gaderar, zoungar, wt. my hand / Alexander Taillzour wt. my hand at the pen led be Sir James Kar, cheplane.

Nomina assise: George, erle of Catness, William Sincler of Dunbeyth, James Innes in Luchars, Alexr. Strathbrok, James Sincler, Johne Thomsoun, zoungar, Alexr. Wynchester, eldar, Cutbert Cummyng, William Auldcorne, Johne Watt, William Douglas, Johne Bayne, Johne Murray, William Murray, Thomas Ayir.

[Said inquest served William Calder of Dune, nearest and lawful heir to his "guiddaym."]

August 16th.—The provest at the comand of the haill consell and communate present for the tym assignit ane rig quhilk was resingnit be Alex^r. Vatsoun liand in the north syd of the Gallow Hill to Alex^r. Malcom viz. the third of ane quartar achenpart.

Thomas Beyn for the wrangus slaying of ane zoung swyn out of his shayth pertenying to Johne Crokatt for the quhilk the said Thomas sall pay to the said Johne four sillingis.

October 11th.—William Huchisoun, burges of Edinbrugh, is becum oblist and actit to deliuer to William Gaderar, eldar, provest of Elgin, and William Malcom, burges of the said brugh, coniunctlie betuyx the dait of this act and zovill nyxt to cum ane govne of gray satting and ane welvett bonet with certane goldin buttovnis proveding the said William Gaderar, provest, and William Malcome send to Edinbrug for the samyn ane writing to rasaue the saidis cleding with ane acquittans vpoun the rasait thairof vpoun the quhilkis the saidis William and William desirit actit in the court buikis of Elgin.

November 8th.—[For avoiding disturbance in taking poinds it is decreed that the handbell pass through the town charging all to come within twenty four hours to loose the poind, and if none come the officers to dispone the poinds.]

It vas complenit be the haill craftismen of the skynner craft, fremen, vpoun the vnfremen of the said craft that tha occupeit thair fredome to thair vtter herschip, desirand remeid to be put thairto, the prouest, baillies and communate present hes commandit the officiaris to pas to the haill vnfremen of the said craft and put inhibitioun to tham to occupe the samyn ony fordyr / and gif tha or ony ane of tham vsis the said craft ordanit the officiaris to pas and eschett the stuff and vark tha find in thair possessioun as forstalleris and vsaris of the said craft without fredome and the guiddis eschetit to be deliuerit to Cutbert Cumming and Alex^r. Wynchister, eldar, to be applyit to the vphald of the alter of the said craft vpoun the quhilk William Aldcorne, dekin of the said craft, desirit act of court.

John Beyn grantit in jugement that he gef ane arill penne to Androu Mylln the half of ane schip quhilk lyis in Fyndorne for xxxii merkis.

The quhilk day the assise deliuerit that John Bayne aucht and suld

content and pay the sovm of threttie tua merkis vsuall money of this realm to Androu Mylln for the said Androus half of ane schip with hir geir lyand in Findorn, quhilk sovm of threttie tua merkis the said Johne grantit that he promest to the said Androu and gef him arlis thairupoun.

The quhilk day the baillies commandit Sir Thomas Rag to desist fra ony fordir instructing of barnis few or mone in ony plaice in tym to cum bot that all tha he hed ma cum to the prencepall gramer schoill to be thechyt be the master admittit be the provest and baillies.

[Alexander Sutherland, dean of Caithness, is tutor to Alexander Sutherland, son and heir to the deceased William Sutherland of Duffus.]

James Innes vif and William Innes vif var decernit in ane amerchment for the wrangus breking the statutis makand candelis of les quantate na the ordinance of the burgh.

John Bayn becum oblist to pay to Mr. Androu Strang, chepland of our Lade cheplandre within the paroche kirke of the said brut. all annvellis that the said Mr. Androu will sueir that he is awand to him vpoun the quhilk the said Mr. Thomas Robertsoun, factour to the said Mr. Androu desirit act of court.

1546-7.

January 10th.—Sir James Douglas enterit Alexr. Lochillis procurator for him in all besines within the burrow courtis of this burgh.

Twiching the distans of viii s. annell cravit be Sir William Clerk, chepland of Sanct Duthacis cheplandry, within the chathedrall kirk of Murray, fra John Brovne zeirle of ane ruid of land pertinying to the saidis Johne and lyand on the sovth syid of this brugh betuyx the land of ane venerabill fadir in God, Alexr., preour of Pluscardin, at the est and the land of William Aldcorne at the vast / the decesioun of the said claym beand referrit be bayth the saidis parteis to the provest and baillies of the said brugh and thair assessoris / athir of the saidis parteis evidentis producit and red in jugement, It is decernit and decretit that the said Sir Villiam and his successoris, cheplandis of the said cheplandre hes just rycht to aucht sillingis annell zeirle of the said landis becaus it is cleirlie kend that the said Johnis evident is rasit and of octo maid quatuor.

January 16th.—Alex^{r}. Williamsoun was decernit to pay to Jonett Ferquhar xxi d. for aill, xx d. for ane lax, xxx for half ane firlat of meill and ane firlat malt.

January 24th.—John Bayn was decernit be decreit of court to content and pay to John Robertsoune the just availl of halfe ane siluer corse be the estimatioun of Walter Hay, goldsmyth.

March 21st.—William Donaldsoun was fund in ane amerchiament for the wrangus forstalling of John Zoung, zoungar, in the bying of certane salt hydis fra the barroun of Killracht quhilkis was calland to the said Johne for the quhilkis the said William salbe secludit fra all vsing or fremennis vse ay and quhill he vptein lecence at the haill communate of this brut.

Ferquhar Duncanson is decernit to deliuer to William Aldcorne viii sherling skynnis.

[John Bayn compeared as warned at the instançe of Sir James Gowre, but Sir James not compearing, John Bayn protested for his expenses.]

1547.

April 5th.—Dauid Dunbar, sone to vmq^{ll}. Johne Dunbar in Bannethfeld, electit and chosit ane wenerabill fader Allexander be the permission of God preour of Pluscharden and William Hay of Mayne his tutoris during his age of tutore and fra the completing of the aige of tutore his curatoris ad lites et negotia and the saidis venerabill fader and William Hay of Mayn hes maid the greit ayth on the haledovme to vse the saidis offices to the saidis Dauidis vtilate and profett ay and quhill thay be dischargit.

April —.—Alex^{r}. Ros beand persewit be William Hay of Mayne for the wrangus cutting of certan grein woid out of the boge of Mayn / the said Alex^{r}. grantit in jugement that he cuttit thwa startis to ane mylln quhyll and no mayr vpoun the quhilk the said William Hay desirit act of court.

May 2nd.—Sir Donald Williamsoun presentit his infeftment vpoun the land he duellis in in the freyr vynd anent the cleym of viii s. annell clemit be the blak freris. It was decernit that the said annell suld be pait to the said blak freris if any annell pertinyit to vmq^{ll}. Thomas Zoungis ayirs of any part of the landis contenit in the said evident.

May 26th.—Sir Johne Annand hes wranguslie occupeit ane chalmer pertenying to Dauid Hardy in heretage lyand on the north syid of this burgh for the quhilk Sir Johne sall pay to the said Dauid zeirlie sen the said Dauidis sesing the sovm of xiii s. iiij d. and remov therfra in tym to cum.

Thomas Brabuner clamit ane girdell fra Megot Robertsoun quha allegit that the girdell aucht to hyr vse.

James Smyth was decernit in any amerchiament for the wrangus invading of William Smyth with ane geviling and calling of him gleit carle.

June 16th.—The quhilk day the haill consell hes thocht expedient and ordanit that Issobell Vilman sall remove this haill brut. for all the dais of hir moder lyvetyme / becaus sche hes put sindre and diuers tymes handis in hir said moder and nov of lait hes myschevit hir in the faice.

October 3rd.—The heid burrow court of the brugh of Elgin haldin within the tolbovyt of the samyn be William Hay of Mayne and Maister Alexander Douglas, baillies, the third day of October the zeyr of God I^{M}. V^{C}. and xlvii zeris.

Presentes et Elegentes.

William Smith, James Pedder, William Gaderer, zoungar, Johne Murray, James Rob, William Adam, William Zoung, Martein Sclaitter, Johne Forsyth, William Tailzour, Robert Mavar, William Kay, Alexander Williamsoun, Ferquhar Duncansoun [and twenty-nine others].

The qlk day the haill communate hes electit and menit Sanct Geill thair patroun / provest for ane zeyr nyxt to cum. The qlk day the haill communate ellectit and chesit William Hay of Mayne, Mr. Alexander Douglas, William Gaderar, zounger, and Andro Myll, baillies for ane zeyr nyxt heyreftir and tha sworn to use the samyn justlie for the said spaice.

[The council of this year consisted of the patron saint, four bailies and only eight other councillors.]

The baillies, consell and haill communate of the brugh of Elgin hes statut and ordanit for certan greit ressonabill causis and considerationis moving tham and for the vmcheving of the apperand schayth and damagh of the haill commond veill of the said brut. that na fre man be maid be tham for the spaice of ane zeyr nyxt to cum accep burgess

eldest sonnis of the forsaid brut. sall hef heretagh and habitatioun within the said brut. and the haill communate ar sworn heyrto.

The baillies, consell and haill communate of the said brut. considderand the greit truble, schayth and inconvenientis quhilk hes hapint within the said burgh in tymes bygane and now instantlie apperis to happin / throch the veddovis in thair mareing within the forsaid burgh without consent and lecence of the provest, baillies and consell of the samyn, thairfor statutis and ordanis conform to the auld actis of this burgh maid of befoir that gif it hapins to ony vedov within the said burgh to mare without lecence of the provest, etc., in tyme to cum than and in that cais the said vedow handfastand or mereand incontinent sche sall tyne hir fredoum, commond land and takkis within the boundis of the said burgh, gif sche ony hes, eo facto, and salbe lesum to the provest, etc., to dispon thairupoun incontinent thaireftir as they sall think maist expedient and the haill communate ar sworn to observe the said act in all tyme to cum.

October 11th.—Murrell Gowre was decernit to pay to Sir William Sutherland, persoun of Moy, iiii s. for ane plaid.

October 18th.—The assise deliuerit that Andro Skabertmakar wrangit in the drawing of ane quhinger to Master Alex^r. Douglas, baillie, in the executione of his said office and dowme gevin thairupoun.

The assise deliuerit that Androv Cove, alias Skabertmakar, hes wrangit in the vssing of fredome within this brot. and specialle in bying, selling of rocht hyidis and barket ledder and als forstallis the nychboris of the said brut. in vsing the samyn and dovm gevin thairupoun.

The assise deliuerit that Master Alexander Douglas wrangit in the drawing of ane knyff to Androw Cowe, schabertmakar.

October 24th.—Forsamekill as Johne Tailzour persevit Katerin Ros spovs to wmq^ll. Johne Zoung, zoungar, and Nanis Kyill spovs to umq^ll. Cutbert Cuming for his expensis maid to him in passing to the last ost as he that was the said John and Cutbertis caraghman the assise deliuerit that Katerin Ros sall content and pay x s. to the said Johne Tailzour and findis the forsaid Nanis Kyill acquit of his claym.

November 21st.—It is statut and ordanit that gif ony freman or fre woman being wedow ramayn zeir and day out of this burgh and giff na habitatioun within the samyn that the forsaid man or woman sall tyn thair fredovm and comond landis and takis of the said burgh gif tha ony

hef perpetuall and that it salbe lesum to the communate to depoune upon the samyn.

William Hay of Mayne, baillie, assignit at the command of the haill communate ane of the auchtene partis wes Androu Gaderaris lyand in the Bleyrmyir to Thomas Gaderar [and another to John Innes. Entry money, 20 s.].

December 19th.—The assise decernit that John Forsyth and Alexander Wynchester, elder, aucht and suld releve the spouse of umquhill Alexander Wynchester, zoungar, of the price of the tua thirdis of ane meyr quhilk buyr the saidis John and Alexander Wynchester elder carrache to the oist of Pyncycluytht ilk ane of them respectiue at the handis of Johne Davidsoun and William Smyth.

1547-8.

January 9th.—Comperit George Chayne and producit ane legittimatioun [from Queen Mary, whereby "damus et concedimus dilecto nostro Georgio Chayne, bastardo filio naturali domini Archibaldi Chayne, capellani" full power and liberty to dispone all his lands and goods, notwithstanding of his bastardy].

January 23rd.—Alex^{r}. Etlis was decernit to pay to Thomas Gardin iij s. x d. for ane brok skyn. Sande Duff was decernit to deliuer a plaid to John Baxstair als guid as quhen he gatt it providing the said Johne deliuer xviii d. to the said Sanders. The assise deliuerit that William Pedder is acquit of the clame of ane carache meyr clamit be Johne Forsyth quhilkis was tint at the raid of Penkyclutht. The assise deliuerit that Ibbot Clerk, spous to vmq^{ll}. A^{r}. Tailzour, sall content and pay to William Donaldsoun the sovm of v s. for the expensis maid vpoun hir horse cumand fra the oist of Pynkeclutht.

February 20th.—William Vardan was decernit to releve Ebbe Clerk of the ta halff of the fe of the caraghe horse that zeid to Pinkycluytht.

1548.

April 9th.—[Alex^{r}. Kyncorn made Sir Thomas Rag and Gilbert Kemp his procurators].

April 16th.—The assise decernit all the cordinaris vnfremen within this burgh be closit fra using of that craft providing that the fremen staik the tovn and cuntre with stuiff on ane ressonable price and siclik decernis the saidis vnfremen in ane amerchiament for thair vsing of fredom in tym bygane.

The assise deliuerit that all the vnfre merchandis and chepmen within this burgh be closit fra vsing of merchandece and fredome in tym to cum accep on Wedinsday, Setterday, and utheris mercat dais.

The assise deliuerit that the haill skynneris vnfremen within this bru^t^. be closin fra all occupatioun of thair craft and vseing of fredom in tyme to cum bot that tha serwe fremen vnder the pane of law.

Mangnus Chalmer vas decernit in ane amerchiament for the wrangus leving of his masteris seruice William Innes and sall ramane as lang behind the nyxt terme as he has bein avay fra his seruice.

April 23rd.—The assise decernit that Janet Annan wrangit in the feing of Andro Millis servand contrar the auld actis of this burgh. The assise decernit that Annable Stuart aucht and suld deliuer ane trein kyst and ane trein quart to William Innes.

November 13th.—Court haldin be Mr. Alexander Douglas and John Robertson, balzeis.

Dewelegreine—ane quarter sett to William Hay of Mayne, prouest, quhilk quarter William Gaderar hadde, ane quarter to Master Alexander Douglas quhilk pertenit to Andro Gaderar, ane quarter betuyx Johne Robertsoun and Andro Mill and ane quarter betuix Alexander Williamson and Thome Air.

Mostowy—set to William Gaderar and Thome Zoung.

The tollis and the skemmill maill—ane half to James Michell, ane quarter to William Wardene, ane quarter betuix James Peddar and Thomas Kar.

The Spittall croft—the thred part to Andro Gibsoun and the remanent to William Auldcorne.

Glasgrene to William Auldcorne and Thomas Ayir for v zeris.

Commound acker to John Forsyth.

The buttis of the Palmerfuird to Robbe Maver and William Adam.

The commound annellis to William Zoung and James Peddar.

Balzie feild sett to Wille Murray with consent of the haill toun.

The buthis under the tolbuith for xvii s. ilk zeir.

Croft Cry to Thome Zoung and the wedow.

Sanct Kethereinis croft to William Gaderar.

December 12th.—The assise banish Robbe Davidson and Robbe Walter for certane crymes out of this burgh be the space of ane zeir and day.

December 17th.—William Zoung confessit he borrowit ane twa handit sword quhilk was stollin fra him and was decernit to pay for the samyn xxij s.

Na flesher sall sell hyd or skyn or talloun to ony unfreman under the paine of escheting of it.

1548-9.

January 21st.—Sir William Hume, cheplane, protests that his and his successoris ryt be not iniured in entering John Cuming pupil in Sanct Ninianis land.

February 18th.—Sande Cathnes was decernit to pay to Thomas Kar four schilling for ane bullax.

February 25th.—[An inquest finds] Johne McWilliam McAlbin nerest air to his fader broder Sir Donald Williamsoun chepland within the Cathedrall kirk, quhairupoun Sir John Gibsoun protestit in name of Master Johne Leslie persoun of Ryne and tutor of Johne Williamsone that this serving be no prejudice to the said John.

1549.

April 29th.—The Pasche Heid Curt of Elgin haldin within the tolboyth of the samyn be William Haye of Mayne, provest, Johne Robertsoun and Jhone Forsyth, bailzeis. Absentes: Sir Tyberius Winchester, Mr. William Gordoun, Megett Auldcorne, Sir Johne Williamsoun, William Sutherland of Duffus, Mr. Alex^r. Dunbar, dene of Murray, Sanct Duthokis chepland, Our Lady cheplan, the Erll of Murraye, the Rude chepland of Elgin, the Prior of Blak Freris, the Abbot of Arbrothe, Sir Andro Froster, Robert Innes of Rothmakenzie, Agnes Kyill adiudicat for thair absence. Sir Thomas Rynd, viccar pensionar of Elgin protestit that the entering of James Peddar in the suitt roll of ane rude of land

liand betuix the land of Johne Baldoun at the north and the land of William Malcome at the sowthe hurt not his rycht nor his successoris becaus he was in use of pament zeirle of twa schillingis quhilk was not specifeit in his charter as aucht to have beine and protestit for tyme and place.

The counsall fand that James Watt suld labour and occupye the takke of Lipperland quhilk he has of Helene Murraye, relict of umq^{ll}. Jhone Watt, for this instant zeir and na langar.

May 6th.—The provest, bailzeis, counsall and communate for vmschewing of the apperand inconvenientis to the airis of the burgessis of this bur^{t}. throch thair non age and deceis of thair faderis quhilkis has or happynis to haue auchtane partis within the said bru^{t}. so now [it is ordained that the eldest son and heir of any burgess at his father's decease be made freeman and get assignation of the father's auchtane parts paying use and wont of whatever age the heir happens to be, his curator dwelling in the burgh to be surety to walk, ward, scott, lott, tax and stent for the said auchtane parts].

May 12th.—[William Hardy, son and heir to the deceased David Hardy, burgess, was made freeman, and paid 5s., which] was warit at the command of William Hay of Mayne, provest, to Alexander Lillie, menstrall to my Lord Abbot, and the provest and communate made assignation to the said William of the twa auchtane partis qlk was his umquhill faderis and paid fourty schillingis for his entres which was given at command of the provest to Alexander Williamson, lord abbot, to be spendit at his pastyme.

May 23rd.—It was statut be the haill communate that quhatsumever persoun was apprehendit wandoand corne in the hie gett suld paye aucht schillingis.

May 27th.—Androv Mill was in ane amerchiament for the wrangus breking of ane common firlot and for the wrangus calling of the mettis of the burgh tubbis in the commond markatt.

September 30th.—The heid burrow court of the burgh of Elgin haldin within the tolbouyt of the samyn be William Hay of Main, provest, Maister Alexander Douglas, Thomas Gaderar, Johne Robertsoun and John Forsyth, baillies, the last day of September the zeir of God I^{M}. V^{C}. and xlix zeiris, the quhilk day the suittis callit and the court lauchfullie effermit.

Alexander Douglas, John Innes, zoungar, Thomas Gaderar and Johne Forsyth electit baillies be the haill communate for ane zeir. Androu Gibsoun [and three others] electit officiaris for ane zeir.

October 3rd.—Alexander Innes of that ilk was maid freman and burges of this burgh be the baillies with consent of the haill communate and maid his ayth in jugement thairupoun as use is and payit to the baillies tua crovne of the soun upon the quhilk the said Alexander Innes desirit act of court.

Alexander Innes of that ilk electit provest for ane zeir.

October 8th.—The Comound Consell :—

The provest, the foure baillies, the lard of Innermarky, the lard of Mayne, Alexander Williamsoun, William Aldcorne, Robert Innes, John Robertsoune, Thomas Ayir, William Gaderar, Alexander Wynchester, James Mychell, James Gardin.

It is ordanit that the tua d. leif contein xvi unce. It is ordanit that the galloune of aill be sauld for xx d. the best, and var to be sett by cunstaris as it is availl.

William Alcorne and Alexander Williamsoun electit thesaureris of the comound geir of this burgh for this nyxt zeir.

William Mylln [and seven others] electit cunstaris, Alexander Wynchester [and five others] electit prisers of flesche.

It is ordanit that the actis of parliament and this burgh be put to executioun anent the talloun.

It is ordanit that the flesche mercate be kepit upoun Satterday and ony that sellis on Sunday to be eschett.

It is ordanit that na fysche be housit nocht bandit under the payn of escheting.

It is ordanit that the quhit candill contene in lentht xiiii incht for ane d. and of the auld depnes and the tua d. candill conforme thairto.

It is ordanit that the best horse corne be sauld for vii d. and lakar for vi d.

It is ordanit that thair be thre new firlottis and four pectis and tha to be nov considderit be the consell and maid vpoun ane competent mesour.

It is statut and ordanit for the outhalding of the vattir that ilk persoun that hes auchenpartis within this burgh mak als mone crelis as tha heff auchenpartis and fill the samyn with stanis.

It is statut and ordanit that na persoun cut or peill ony of the

Sanquary in tyme to cum and quha beis conuict to pay xl s. and all the nychtboris to be sworin to keip the samyn / and to tell gif tha se or gettis woird quha cuttis or pelis the samyn / and quha apprehendis ony with the said void to heff ii s. of the comond guid and the cuttaris wapin that tha cut with.

Androv Govre was decernit to pay foure pundis ten sillingis for ane berral of salmound.

It is statut and ordanit that the actis and letteris maid upoun barkit leddyr be put with all regour to execution in tyme cuming be the baillies and specialie upoun unfremen.

John Innes, elder, Maister Alexander Cuming, William Hay, son to Sir Thomas Hay, James Geratyne, James Innes and Alexander Dunbar war maid fremen and burgessis of this burgh for quhilk tha pait in all vi li. ii s. vi d. [from 10s. to 45s. each].

October 9th.—The quhilk day the baillies with consent of the haill communate hes reconsalit William Vardan to his fredoum and rasauit him burges and nychtbour to tham lik as he was the the first tym of his creatioun notwithstanding ony proces or actis maid in tymes bypast for the quhilk the said William sall pay halff ane stan of wax at Zouill that nyxt cumis.

Charles Gray vas decernit be the assise to mak pament of the haill stok and vynning of thre dussan of Sutherland irin to Archibald Watt.

The assise deliuerit that Archibald Watt aucht and suld mak pament of the haill stok and vennyng of tuenty aucht ellnis and ane halff of quhit lynyngis Ros claytht to Charles Gray.

James Gardin was decernit be the consell of this burgh for the offencis maid to Gilbert Kempt, officiar, to ask the said Gilbert forgiffnes and the baillies and pay halff ane stain of wax at Zouill that nyxt cumis.

November 4th.—The assise deliuerit be the mouth of Alex^r. Williamsone, chanclar of the samyn, that Thomas Ayir wrangit in the blasfemyng of Jhone Gadderar, eldar, in Manbenis, calland him auld pikar theyf carll ye suld staupe him in ane peit pot and sall sit dovne apone his kneis in jugement quhair he said the saidis vordis and suere the grit aitht that he knawis nathing bot lawte and honeste on the said Johne Gaderar and ask him forgifnes.

The assise deliuerit that Cristen Grant wrangit in the cuming in Cristen Langis ovin house and streking of hir and dráving bluid of hir

and sall pay the said Cristen Lang iii s. for ane mendis and geff evyr sche dois sic ane falt in tymes to cum to be banist this burgh perpetuall.

The names of tham that are convic be the assis for ij s. ayll and ill breid :—Ellene Mortimar, Muerell Govre, govdelokis, Maister Alexander Douglas [and fourteen others].

November 8th.—James Gaderar, soune and ayir to umquhill Thomas Gaderar, yr., creat burges and freman and pait v s. as use is.

November 18th.—John Moyr was decernit to content and pay to Cristen Watt fyve firlottis aittis for the schayth she sustenit throch nonkeping of his nychborheid to her and sall pay all schaythis shaw sustenis throch him in tyme cuming.

Mareoun Duff was decernit to content and pay to William Adam aucht s. money, ane pair of nev schoin, ane ellen of hardin for ane halff zeris fe becaus sche refusit to pas to the said Williamis seruice as sche that was his servand.

November 29th.—The quhilk day the provest, baillies, consell and hail communate hes decernit ordainit and decretit that Elezabeth Buetht spous to umquhill Alexander Wynchester, zoungar, and the said umquhill Alexanderis lauchfull barne hes just titill and rycht to v zeris tak of ane quartar of Duveligrein nyxt and immediat folloving the said umquhill Alexanderis deceis in Pynkyclucht conforme to the act maid at Mortonhall anent the wiffis and barnis of tham that was slayne at Pynkyclucht the saidis personis findand souerte for the auld rist and malis in tyme coming and afoir the entres to mak pament of the auld rist and instantlie William Gadderar becoum souerte for the restis and malis.

[Similarly] Ibbot Clerk, spous to Robert Innes, and the lauchfull barnis of umquhill Alexander Tailzeour hes iust titill and rycht to v zeirs tak of ane auchene part of Duveligrein nyxt following the said Alexanderis deceis at Penkycluytht [William Hay of Mayne, surety].

December 2nd.—The quhilk day Alexander Watsoun grantit that he rasauit ane stik of russett clayth fra ane man of Forfair on Andersmes evyn.

Henre Bege consentis to pay to Elezabet Berneth the soum of xxiiij s. for ane zeris annell of the hous he duellis into. Mareoun Begis vas decernit be decreit of court to deliuer ane irn pot to William Hossack providing the said William pay ix s. to the said Marioun afoir the rasait of the said pott and dowm gevin thairupoun.

Robert Innes, zounger, was decernit to pay iii s. for the wrangus streking and schedding of William Barrounis bluid.

Martein Slaitter was decernit to deliuer ane tartan plaid to William Adam or the just availl.

December 16th.—The haill consell hes statut that the tua pennie leiff contein xiiij uncis in tyme cuming.

The provest, baillies, consell and comunate hes statut and ordanit that na personis pas to the mos with crelis and gif ony dois thair crelis and clais to be eschet to the officiar that takis tham and the persoun that beis fundin sua to stand xxiiij houris in the govis, provyding alvais that tha that hes pettis in the mos tak ane officiar with tham and care tham away upoun horsbak.

1549-50.

January 13th.—William Zoung, curator to David Zoung, protestis for the termes annuell of the landis of wmquhill Sir Donald Williamsoun bigane in name and behalf of the said Dauid.

January 22nd.—It is statut that na persoun that duellis within this burgh pass to the seis and cage fysche under the payn of escheting to this burgh.

January 27th.—The assise deliuerit that Sir William Tailzour was nerest ayir to his wmq^{ll}. fader Alexander Tailzour of a ruid of land and ane quartar lyand on the northt syid of this burgh.

Androv Mylln renuncit all titill that he hes of Androv Flemyng o ane taill of land lyand on the north syid of the said burgh betuyx th land of James Robe at the vast and the comound venell at the est fra th stank at the sovtht to the borrovbriggis at the northt.

March 3rd.—The assise deliuerit that Thomes Russell wrangit streking of the bailze, Thomas Gaderar, within the tolboyth minnistra the quenis servis and is in ane amerchiament for the samyn as vas giff for dowme.

Maister Alex^{r}. Cuming and Thomas Innes are cum in law borro for Thomas Russell that the said Thomas Gadderar and the h inhabitantis of the said burgh be harmles and skaytles of him in tymes cuming.

The quhilk day Thomas Russell is cum in vill in jugement for the vrangus trubiling and cuttyng of ane mantill beand about Thomas Gadderar the bailzeis dochter gangand hir lesum busenes vnder the cloud of the nycht and for the rifying of hir kirtill and for the bostyne to cut her lovg the said tyme. Maister Alex^r. Cuming is cum in souerte to the bailzeis to paye the wrang.

March 20th.—The provest and haill communate hes ordanit that ane chartour be maid be tham to . Forsyth, smyth, vpoun ane ruid of land lyand on the northt syid of the bru^t. nyxt the vast dyik at the vast port of the said burgh for ii s. annell to be paid zeirlie to the comound purse of the said burgh.

Androw Mylln accusit for the wrangus bying of fresche keling at the see syid within the previlegse of this burgh and paking and peling thairof contrar the actis of Parliament.

1550.

March 31st.—Alexander Sovter was decernit to pay to James Sutherland the sovm of sax li. betuix this and the senze of Murray.

April 2nd.—The provest, baillies, consell and haill comunate present for the tym hes grantit and gevin to William Levinestoun the bell comound of this burgh callit the hand bell with all and sundre proffettis, commodatiis and pertinentis pertenying to the said bell and offece thairof for all the dais and zeris of the said Williamis lyfteme the said William makand and doand sic service and profett to the comunate during his lyfteme as his fadyr James Levingstoun doid and dois for the samyn provyding that the said James bruik the said bell and profettis thairof for his lyvtyme upoun the quhilkis the said William Levestoun desirit act of court.

April 21st.—Court haldin be James Innes and Thomas Gaderar, baillies. Gilbert Kemp, officiar unlawit. Gelis Scott oblist him faythfullie to content and pay to Johanne Woid ij firlottis beir. Janet Hay of hir awin freewill grantit in jugement that she aucht to hald up the hous that Jherome Schynnar duellis in in wallis, tymer and thek for all the dais of hir lyff als guid as it was the tyme that wmquhill Sir Thomas Hay deit.

Forsamekle as Androwe Mylln allegit and said that he vald not admitt the baillies of this burgh juges to him the baillies offerit tham redy to be declinit, the said Androwe allegand or proponand ony just or ressonable exceptioun to declyne tham according to the laws. [The action was between] Androw Mylln and William Alcorne anent the heretable right of ane taill of land on the north side of the burgh betwixt the lands of the commond venell at the est part and the lands of James Rob at the wast extending linalie fra the bak stank at the south to the burrow briggis at the northt. [Andrew refused to produce his rights; Alcorne produced an instrument of sasine of date 18th February, 1549, under the seal of Thomas Gaderar, bailie. Decree was given in favour of Alcorne.]

The assise deliuerit be the moutht of Alexander Williamsoun, chancler of the samyn, that Androw Mylln aucht and suld deliuer, content and pay to Thomas Kair the soume of ten sillingis for ten apill treis quhilk he rasauit fra the said Thomas.

May 12th.—Angnes Robertsoun persewit Johne Innes, sonne to vmq^{ll}. Robert Innes of Ratmakenze for the sovme of twenty merkis money and ten firlottis victuall for hir lyfrent of the heychous in the gray frer vynd quhilk sovm and victuall the said Johne Innes denyit. The jugis decretit that the said Angnes failzed in hir preyf.

Sir Johne Chanvall producit ane instrument of sesing maid to him be wmqll. James Sclatter.

The baillies with consent of the haill toneschip hes statut and ordanit for eschewing of the greit eting of corne quhilk is abill to be the harschip of this haill burgh that thair be ane club passand throch the toune and twa nychtboris that hes land to kep ane day ilk twa aboutt and ilk best that beis fundin in the corne to pay iiii d. and ilk schallow of scheip xii d. to be pait to the pundoris or to the awnaris takaris of the said guiddis and the testificatioun of the taking of the guiddis to be rafarrit in the aytht of the takaris and it salbe lesum to the takaris to pund the haill guiddis or ane best of the schallaw or ellis the keparis clays and failzeand of ony of the premisis the officiaris to pas to the hous of the awnaris of the guiddis and deliuer ane pund to the takaris.

June 2nd.—Johanne Bayne become oblist to John Dow to deliuer alevin pair of goldin hornis to Archibald Campbell of Caldour at his nyxt beine in this burgh.

Thomas Chalmer was decernit to content and pay to James Pringill vi s. vi d. of the rist of ane halff boll of malt.

The baillies decernit that William Zoung sall pay to Elspet Gaderar ij firlottis ij halffdyschis of quhit.

Johane Inglis persevit Alex^r. Wynchister as he that feit him to his brother Sir Thiberius Vynchister to heff enterit at this Witsunday and refusit his seruice quhilk feing the said Alexander confessit and incontinent the baillies be the consultatioun of the nychboris decernit the said Alex^r. to caus him be rasauit in seruice conforme to his conditioun and failzeand thairof sall pay him his haill fee togiddyr with viii d. ilk day he offeris his seruice to him quhill the ische of his terme.

June 16th.—Alexander Hardy was convict for the wrangus deforsing of Thomas Kar in the taking of ane pott fra him and sall ramain iiij dais in the tolbouyth.

The assise [fifteen in number] ilk ane of them sworne on halie evangyl.

June 23rd.—The assise deliuerit that Margarat Froster wrangit in the calling of Angnes Baldoun comond theiff and that schew stall ane velvet coler and hard hir selff cursit for the samyn for the quhilk the said Margarat sall stand in the tolboytht quhill sax houris at evin. Alex^r. Gib was ordanit to content and pay to James Vardan thre sillingis mone.

July 21st.—Sir John Gibsoun is procurator for Cristen Dick.

October 6th.—Heid burrow court. Alexander Innes of that ilk electit provest. [The number of the Council in all is sixteen, consisting inter alios of the lairds of Invermarkie and Mayne]. The quhilk day the haill consall and comunate hes electit and chosin William Gaderar and Johne Annand commond clerkis for ane zeir. It is statut and ordanit that na derar aill be sauld within the boundis of this burgh nor xx d. the gallown the best. The prowest of his auctorate of prowestre and luftennent deputrie has commandit and ordanit that na persoun within the boundis of his office rafuse for merchandece or ony vther wys in tyme to cum sowsis that pass nocht throch the ring and mesour.

October 20th.—Forsamekle as our souerane Lade the quenis graice breve impetrat be William Cruksank brother sovne to umq^ll. Sir Cristofer Cruksank vas lauchfulle proclamit to be servit befoir the baillies of this burgh and his petitioun maid vpon ane ruid of land lyand on the swtht syid of this burgh and na persoun opponand contrar the said breve proclamatioun and indorsatioun of the samyn the said petitioun the jugis

nor assise nor evidentis producit to that effect tha and ilk ane of protestit solemple that tha suld incur na danger of arrour.

October 26th.—It is statut and ordanit that the tua penne leif c and fair stuff contene in vecht xiiij vncis and the ane penne leif vi stuf siclik and quha that brekis this present act to pay vii s. of vnla the awnar of the ovin to be closit fra that office induring the proue consellis will and viii s. vnlaw the awnar of the stuff brekaris secludit fra bayking for ane zeir. And that no penne kaykis be b to sell within this bru^t. vnder the payne of deling of the breid an boycht to that effect and viii s. vnlaw.

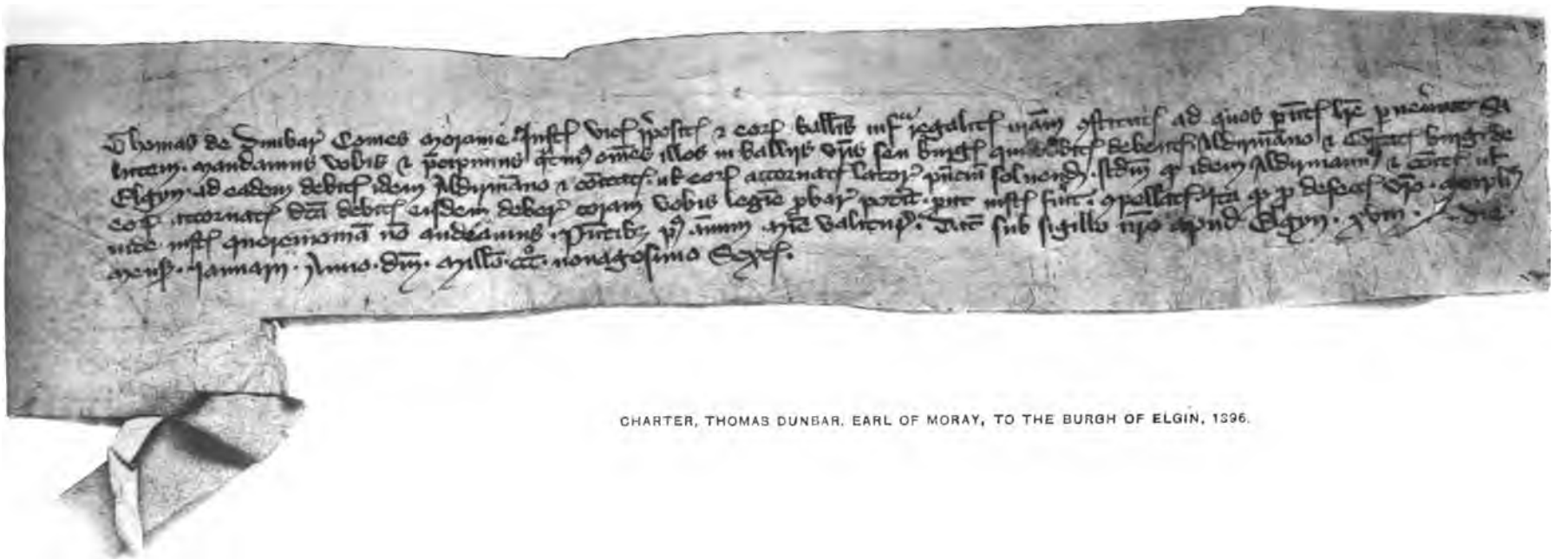
It is ordanit that na persoun sell derar aill nor xx d. the gall the best and secundar to be sauld be the consideratioun of the cunstaris under the payne of viii s. unlaw and deling of the haill a fund in the disobears possessioun. It is statut and ordanit that th candill contene in lenth xiiij inch by the lenth of ane beir corne in and siclik the halpenne candill the tua penne candill conforme lentht and depnes forsaid under the payn of deling of the stu viii s. unlaw. And it sall be lesum to ony persoun to by talloun the burgh for viii s. the stane to mak candill thairof for the serving Quenis legis.

It is statut and ordanit that the act of Parliament maid anent of flesche and fysche be umquhill King James the fyft be put to tioun and that na persoun fre or unfre sell ony barkit ledder outw burgh under quhatsumevyr cullour or ingyne.

It is statut and ordanit that all comound stableris within thi hef redy stray and corne to sell to our souerane Ladeis liegis and t sell na derar nor viii d. the pect of aittis under the payne of viii s.

That na persoune, fre nor unfre, skynnar nor merchand, pu skynnes in tyme cuming under the payne of escheting of the said and woll that beis pullit bot it salbe lesum to fre merchandis an fre nychtboris to use the said vollit skynnis in lesum merchan stapill guiddis and no uther wais, and attour it salbe lesum to sk to pull samone voll skynnis as will staik tham to mak vark of thair bothis and nocht to be coveringis of quhit leddyr and quh leddir tha mak that tha sell the samyn to fremen.

Item for eschewing of incomodatiis quhilkis occurris within thi throch housing of vitualis quhilk suld be patent in mercat and



CHARTER, THOMAS DUNBAR, EARL OF MORAY, TO THE BURGH OF ELGIN, 1396.

places and not in secret housis absentit fra the Quenis graice liegis it is statut and ordanit that na persoun within this burgh hous victuallis that suld be sauld in mercat on mercat dais nor betuyx mercat dais under the payne of saxtene s. and gif ony wald keip victellis fra ane mercat day to ane uther it salbe lesum to them to put the samyn in ane hous under the tolbouyt which salbe redy to all men fre.

Item that the baillies call the chaplanis of the kirk and put ordour to tham anent the uphalding of Goddis seruice and that thay tabill certane honest men for gadering of Sanct Gelis lycht.

Item that na persoun hald thair guidding upoun the gett langar nor the space of thre dais under the payne of viii s. and that every persoune red thair chanellis within the said spaice under payne siclik.

October 31st.—The provest hes assignit the sevintene day of Nouember nyxt to cum to Johne Robertsoun to compeir befoir him to ansuer at the instance of the preour of Pluscarden and convent of the samyn thwyching thair clame of xvi s. zeirlie annell of certane croftis allegit perteinying to the said Johne and ilk parte to heff the just defens to the effect forsaid.

It is ordanit that ilk persoun red the venellis within aucht dais. Isobell Grant is in the provestis vill for deforcing of the officiar. The prouest, baillies, consell and haill communate hes licent the unfremen merchantis during thair will to use merchandece as thay heff doun in tymes bygane quhill the xx day of Zouill nyxt to cum and quha that desyres not thair fredom and beis abill thairto betuyx this and than to heff fredom furth bot the tua mercat dais in the oik allanerlie.

The provest and baillies hes ordanit that the personis that was ordanit of befoir to gif Sir Thomas Rag and Sir Thomas Robertson thair burdis do the samyn in tyme to cum and quha dois nocht the samyn the officiaris pas and pund the saidis personis failand for xvi d. ilk day and deliuer the samyn to the saidis cheplanis.

The quhilk day the provest, baillies, consell and communate hes gevin and grantit to Maister John Lowis, master of the grammer schoill of this burgh, the soume of fourty s. at Martinmes nyxt cumis and utheris forty s. at Vitsonday thairefter and siclik xl s. at Mertimes thairefter for teching of the said schoill out of the comound purse of this burgh.

November 4th.—William Donaldsoun ordanit to pay to Thomas Tait for ilk boll malt he resauit fra him xxiiij s.

The provest etc. for stanching of tullyonis in tyme cuming hes statut

and ordanit that that burges that beis convict for tuilze sall pay fo first tuilze viii s. and for the nyxt tuilze xl s. and the third tuilze fr to tyne thair fredoum unfremen to be banist.

The quhilk day Johne Brabuner was decernit be decreit of cou wyrk on ane wob of Janet Cragys of xxviii elnis of quhit pl incontinent for the quhilk he salbe payit be the sycht of four perso the brabuner craft.

November 18th.—The provest, baillies and consell hes ordanit xl s. zeirlie to Sir Thomas Robertsoun in tyme to cum.

Androv Milln protestit in jugement that forsamekle as he hed c Androv Maltman in keping of him in the tolbooytht and mycht no him langar thairfor he dischargis him of ony forther keping o oppinly in jugement and qnhat inconvenient cumis in tymes c throch his passing that it will not be to his hurt. [Maltmar imprisoned for debt.]

December 9th.—The assise [fifteen in number] deliuerit that Soutar [and five others] auch to be enterit lauborers within thair buikis at the cordinar craft q^{ll}. Askuedinsday nyxt to cum for the c weill of the cuntre / the dekin and fremen of the said craft (? satesfeit) be the awyis of the baillies as wse is and attour ordan Johne Lesk [and five others] serve maisteris fremen within the said and hald nocht buthis of thair awin vnder the payn of escheting guidis thay wirk for the tyme to be tayne be the dekin of the craft reparatioun of thair altar and the said personis to heff fra fremen lauboring of ane hyd redy to the scheping xiiij d. Item for the sc of ane pair of singill schovn ii d. Item for ane pair of dowbill s iii d. and ordanis that na vnfreman brak ledder wnder the p eschetting.

The consell ordanis that Thomas Elder heff xx s. and Ar Stronach wther tuenty to by tham claythis of the comond geir.

Alexander Wynchester [and four others] decernit ilk ane of t ane amerciament be the assise for the wrangus breking of the statu actis of this burgh in the away heving of barkit leddyr out of t burgh and the schyir thairof.

December 19th.—The provest etc. has assignit tua auchtene land to James Winchester which perteined to Alexander Winche father on payment of xl s.

1550-1.

January 12th.—Comperit Dene John Psalter, ane of the convent of the monkis of Pluscarden and desirit the balyeis to direct thair officiar to pound the lands and crofts perteining to Jhone Robertsoun for certane annell allegit awand to tham conforme to the evidentis maid to thame thairupoun and the balzeis offerit ane daye to be assignit to the said convent and to the partye and the party warnit thairto and justice to be equallie ministrat to both the saidis partiis [Robertson appears on the day fixed (21st January) but not Dean John].

January 20th.—Vincent Robertsoun was maid freman and burges of this brut. and maid his aytht as vse is and pait xx s. to the comound purse.

February 16th.—It is statut that na persone within this burgh caghe quhit fysche fra ony port within the schyir of Elgin in tyme cuming under the payne of escheting of the said fysche.

February 26th.—Court held by Alexander Innes of that ilk, provest, Androv Mylln and James Gardin, baillies, Megot Garioch, William Innes wif, and James wif and the leif of the candlemakaris oblist tham to mak the third of the candell ij penne candell and the tua part ane penne candill.

March 5th.—Matthew Froster for dinging of the spous of Thomas Ayr to remayne this day in the stokis till vi hours at evin.

The assise deliuerit that Johane Annan aucht keip nychtborheid in schawin of ry in the crofts betuyx the gray freris and the vynd.

March 12th.—The provest, baillies and haill comunate present hes electit and chosin William Hay of Mayne precident of the burgh of Elgin till the provest returnying ouer Spey and fordyr at the provest and towneschipis will till Mychalmes nyxt cumis and sworn thairto.

Alexander Skynnar decernit to pay and deliuer to Alexander Gaderar tua raybuck skynnis as he that rasauit pament of the samyn.

March 21st.—Court haldin be William Hay of Mayne, precident of the burgh and [four] baillies. The assise [of fifteen persons] decernit that Jonet Maitland is in ane amerchiament for the wrangus casting of ane stoup full of ayll in Isobell Douglas faice and dinging of her upoun the heid with the said stoup and calling of her iniurius and vyill vourdis for the quhilk she sall remayne in the gowis the spaice of ane houre and

Isobell Douglas to remayne in the tolbouytht this day till vi houris a for dinging of Jonet Maitland. The assise find that Isobell D wrangit in the calling of James Gardin, baillie of this burgh, puyr l beggar carlis geit, sche vist nocht quhair he com or quhair he zeid f quhilk sche sall ask him instantlie forgifnes and ramayne in the tolb fra this day at sax houris at evin quhill the morn at vi houris in the mo and gif evyr sche dois the lik to be banest this burgh. The assis that Megot Urquhard wrangit in the calling of Martein Sinclar, c of this burgh, smaik and bidding him gang hang him selff and the baillies togidder, sche wald nocht gang for his charge to the tolbou wald not put the burgh in vse to charge hir to the tolbouth disobei said officiar in the executioun of his office for the quhilk sche sall re xxiiij houris in the tolbouth.

Henre Bege decernit to keip his nychtboris skaythles of thair betuyx the gray frer vall and the comound loin.

1551.

April 12th.—Cristen Woid to remane in the tolbouyth till sax at evin for iniurius vordis to Alexander Robertsoun, baillie, and as forgifnes.

May 12th.—It was decernit that Thomas Ayir suld pay to T Kar the sum of viii s. vii d. on Skirfurisday.

The assise deliuerit that Margarat Hay obstene fra all re nychtboris servandis or utheris vagabondis in tyme cuming e houris of the nycht in drinking under the payne of banesing this and siclik sall hef sufficient call zaird and elding according to hir of hir awin wnder the said payne and that Issobell Dunnet hir s now cleid hir with ane honest man to be hir maister fra Vitsonda vnder the payne forsaid.

May 22nd.—John Innes, elder, sonne to vmq^{ll}. Robert In Rathnakenze becom lauborrowis for Androve Boyne that James salbe harmeles of the said Androve.

Androw Milln ordanit to pay to William Innes of Frosterseit three s. vsuall money for ilk boll of fourte bollis beir with the quhilkis the said Androw bocht fra the said William.

May 25th.—Walter Lesley of Kynnynvy and Ferquhar Stuart becom souerte that William Stuart sall nocht trubill this burgh in tymis cuming vnder the payne of x li.

June 1st.—The assise deliuerit that Androv Boyne wrangit in the streking of James Gardin, baille of this brut., with his hand upon the brest within the tolbouth a litill after the fensing of the court. The assise [consisting of Robert Innes of Innermarky, William Hay of Mayne and nineteen others] ordanis him in tyme of he mes within the paroche kirk of this burgh and oppinlie ask the said baille forgifnes and offir him ane candill of vax contenand iiij pound wecht to be brunt afoir Sanct Geill and attour the provest, baillies and assise hes deprivit the said Androw of his fredoum.

June 8th.—Na bestiall accept horse and meris vpoun tedderis to pas was by the ouer treyne cros on the gett to the Gallovhill, Palmerfurd or Deidbriggis. Item that na scabbit hors be fundin within the boundis of this burgh fra xxiiij houris furth. That na persoun cary peittis on thair bakis fra the moss under the payne of escheting of the creill and pettis togeddyr with thair cleiding for v s. of vnlaw and all to be eschet to the takkar and to be put in the tolbouyt xxiiij houris and na persoun carie pettis fra viij houris of the nycht till vi houris in the morning vnder the payne of banessing.

June 16th.—Court haldin be Alexander Innes of that ilk, prouest, William Hay of Mayne precident and the baillies. Androw Morisoun and Johne Barbur banist for ane zeir and gif ony rassauis tham to be accusit for art and part of thair dedis. John Murray decernit to mak compt recknying and pament to Androve Alves for ane firlott victuall sax pectis beir and ane covering of ledder to be ane doublet.

Dauid Gaw becom in the prouestis vill for the trubling of tua vemen / and for the deforsing of Thomas Kar, officiar, in the nocht passing to the tolboyth efter he was chargit be the said Thomas / and for the furth passing out of the tolbouyth vnfundin souerte after that he was chargit to hef remanit thair quhill he hed fundin souerte for the quhilk the provest ordanit the said Dauid to be put in the stokis quhill he var forder avysit.

July 6th.—John Murray grantit in jugement that he com catioun for Sir James Kar for the sovm of xl s. for ane zeris maill bypast of his chalmer to John Torre and the baillies hes gevin him Lammes day nyxt to cum to pay the said Johne Torre or preve him pait of the said sovm.

William Hay be his grant as souerte for Thomas Colle was de to mak James Pringillis kill vatter thitht.

July 30th.—Mvrell Caldour, Maister Alexander Cuming [an others] decernit for selling vyne at xii d. the pint, and sall pay th ilk persoun xvi s. and gif ony brekis the statutis of this brut. in the of thair vyne thair vyne to be eschett all that tha hef.

James Watt was decernit to pay to Thomas Vmphray the p alevin quartaris of gray price of the elne xv s. togidder with vii s. f ottir skyn. Thomas Wmphray vas decernit to pay to James Wa fir burd and ane irin stanchion.

Janet Vrycht vas decernit to pas and serue Hendre Bege confo her conditioun and falland thairoff sall pay him the fe promest be hir.

The prouest with consent of the haill comvnate for dalie venientis, tuilzeis, flytingis and vnlefull deids commit be Elezabet spous to . Law hes banest hir of this brut. during his vill and g beis fundin within the samyn without licence to be brint vppoun tl with the comound seill.

Archibald Andersoun be his awin grant vas decernit to Thomas Robertsoun sax merkis mone and ane sark for the n his hous.

October 5th.—The haill communate has electit and chosin Innes of that ilk prowest for ane zeir. The counsell and comu this brut. hes eleckit and chosin Jhone Innes, eldar, Jhone Innes, z Jhone Annand and Andro Myln balzeis for ane zeir. [Four elected, William Gaderar elected scribe and William Levir dempster. The Council, including provost and baillies, was eigh number, from whom were chosen eight cunstars, four "lynaris" and eight "pryseris" of flesh.]

Robert Straquhen be the consent of the provest, baillies, con: comvnate was maid and sworin freman and burges of the saic grantis accept to bankat the baillies, vpoun the quhilk the said desirit act of court.

October 12th.—Anne Sinclar wrangit in calling of Robert T theif carle.

October 16th.—The statutis maid That na derar aill be saulc this brut. nor xx d. the gallovne the best and secundar as it salbe

the cunstaris vnder the payne of deling. Item that na persoun sell ayill bot with ane selit quart, pint or chopping vnder the payne of viii s. and that nayne be sauld wt. coggis, pigis or coppis vnder payne siclik. Item that na persoun forstall victuall, fysche, fleshe or ony vther stuf within the boundis of the said brut. vnder the payne of escheting of the samyn and inhibitioun to be put to the forstallaris to vse ony fredovm for the spaice of ane zeir thaireftir and that na persoun resett betuyx mercattis in howsis and sell the samyn within the said hous vnder the payne of escheting of the vittuallis and the hovsar to be compellit to pay the samyn to the awnar of the vittuall. Item that the tua d. leif contein in vecht xiiij vnce and the 1 d. leif vii vnce, and quha brekis this statuttis the breid to be delit and failzeand of the breid viii s. vnlaw. Item that the quhit candill be of the auld mesour and the actis anent the talloun be kepit vnder the payne of deling. Item that na derar horse corne be derar sauld nor vii d. the pect vnder the payne of viii s.

October 23rd.—[The Sub-prior of the Abbey of Kinloss claims 2s. of an annual for sixteen years from John Torre of two roods of land on the south side of the burgh. Torrie denies liability.] William Gaderar grantit to pay 2s. annell to the plaice of Kynlos gif my lord bishop of Orkynnay decernis him to do the samyn.

October 26th.—The assise deliuerit that Alexander Smyth, alias Blaysande, wrangit in the streking of William Cuming, sone to wmqll. Cutbert Cuming, for the quhilk he sall ramayne xxiiij houris in the stokkis, and gif evyr he dois the maik in tyme to cum to be banist this brut. perpetnallie.

November 2nd.—Johne Tailzour vas decernit to pay to Barrald Tomsoun for ilk boll of tua bollis malt xxxi s. vi d.

November 16th.—Anent the claym of twa s. annell clamit be the convent of Kinlos fra Jhone Torrie of the said Jhonis land, the prowest and balzeis cognossand vpoun the richtis producit befor thame and vther probatioun tane befor thame decernis the said Johne Torrie to content and paye to the said convent tuelf pennies zeirlie of his said land in all tyme to cum and of the termis bygane sa far as thai want and ordanis the said Jhone Torrie to haue place agane the analier and thair airis and gif the said convent maye preif the tother tuelf penneis clamit be thame decernit thame to haue place saiffand and without prejudice of ony vther annell vpoun the quhilk the Supprior of Kinlos in name of the convent desirit act of court.

Sir James Kar was decernit be his awin confessioun to conti paye to James Pringill thirte schillingis betwx this and the fest of Andro.

James Pringill was decernit to ressaue for ane chalder of victu schillingis for ilk boll.

Comperit personalie in jugement Florence Runsiman and p our souerane lade the quenis graice legittimatioun under writt intimat the samyn and efter the said intimatioun the forsaid legitin was oppinlie proclamit at the mercat croce of the said burgh command of the provest and baillies as follows:

Maria dei gratia regina Scotorum Omnibus probis hominibus quos presentes litere peruenerint Salutem Sciatis quia ex nostra favore cum auisamento consensu et auctoritate charissimi nostri guinei et tutoris Jacobi Arrane comitis domini Hammiltoune regn protectoris et gubernatoris dedimus et concessimus ac tenore pre damus et concedimus dilecto nostro Florentino Runsyman basta naturali quondam domini Dauid Runsyman capellani in Elgin de plenariam potestatem . . . libere disponere super omnibus et suis terris . . . in cujus rei testimonium presentibus magnum nostrum apponi precepimus apud Edinburgh vicesimo quinto die Marcii anno domini millesimo quingentesimo quinquagesimo nostri octauo.

[Compeared also with letters of legitimation of date at Ed 26th August, 1550, Teophilus Jhonsoun, Sir James Jhonsoun and Jhonsoun, "bastardis filiis naturalibus" of Sir Willyem Jhonsou lain. After being read in court the letters were proclaimed market cross.]

November 23rd.—The assise deliuerit that Alex^r. Vardan w streking of ane servand pertenying to William Vardan at the va of Lossie and cutting of hir clayis and dovme gevin thairupoun.

The assise deliuerit that Merioun Byrneth wrangit in the ava of ane ketil of Petyr Slorachis and sall restoir the samyn.

December 1st.—Franse Johnestoun was maid, creat and freman and burges of this burgh be the haill nychtboris for th he sall mak the comound wax of this burgh for tua zeris nyxt h

The provest etc. hes ordanit that Sir Thomas Robertsoun, hef 20s. of the rist of his Vitsunday fe last bypast and 40s Mertimes fe last bygaun out of the comound purse.

The provest and baillies with avise of the nychtbouris hes decernit that Thomas Ayir pay James Pringill xvi libs. for ane chalder malt.

The provest, baillies, consell and communate hes oblist tham selfis to gif to James Innes, quha clamit the tua auchenpartis quhilk vas wmq^{ll}. Alex^{r}. Wynchester, zoungaris, but quhilk the provest etc. are content that the said Alexander Wynchisteris sone hef, ane auchenpart of land that sall hapin to waik in the tovnis handis nyxt heirefter accept ane auchenpart quhilk is promest be the tovnischip to Alex^{r}. Williamsoun that sall first hapin to vaik attour the said Alex^{r}. Wynchistir to pay to the said James iiii libs. money betuyx the dait heirof and Askwedinsday and iiii libs. to be takin of the comound geir to be gevin to the said James. This present act to hef na strentht to ony vther persoun in tyme to cum bot the act maid vi May a^{o}. I^{M}. V^{C}. xlix to be kepit in all punctis.

Murell Caldour was decernit to deliuer to Maister Alexander Cuming as procurator for Archibald Campbell of Caldour xi pair of golden hornis betuyx the dait heiroff and the xx day of Zouill nyxt to cum.

December 14th.—Alexander Hardy was decernit be his awin grant to pay to Alex^{r}. Gaderar xl s. in penne vorthis betuyx the dait heirof and new zeirisday nyxt.

The quhilk day William Smyth oblist him to big the dyk he brak to Hendre Beg as guid as it wes quhen he kest it doun. James Runseman, officiar to my Lord bischope of Murray, requirit William Mylln to remvif his scheip out of the said lordis grund and in cais he pundit the said sheip for det or custumis of the said lordis grund the samyn sald be na wrang nor the said James compellit to restoir tham agayne.

December 19th.—The quhilk day the provest etc. hes statut and ordanit that na persoun sell wyne within the collaige of Murray under the payne of escheting of it conforme to our souerane ladie the quenis grace letteris under the payne of escheting and that no wyne be sauld derar within this burgh nor xii d. the pint under payne siclik.

1551-2.

January 11th.—Heid burrow court. Sir Jàmes Kar, cheplane, cognossit by the assise as nerest and lauchfull ayr to umquhill Patrik Kar.

David Zoung wes maid burges and freman be the consent of provest, baillies, consell and haill communate and maid his aytht a is for the quhilkis he pait v s. and hes purs quhilk wes gevin to the folkis.

January 18th.—John Grant Moir decernit to mak pament o merkis money to Johne Grant of Balnadallacht for the maill of hous within the burgh of Elgin perteining to the said Johne Gra Balnadallacht.

January 26th.—Walter Hay to pay halfe ane stane of wax to Gelis work for selling of wyne within the college of Murray and gif he dois sic in tyme cuming he sall pay the price of ane punsioun of vnforgevin.

The quhilk day Dodlok wes decernit for her demereitis to be the gowes and stand thair till vi houris at evin and thaireftir banis burgh perpetuall and gif she beis apprehendit within this burgh in to cum to be brint upon the chek with the comound seill that sel firlottis.

1552.

March 28th.—It is statut that quhatsumeuer persoun withi burgh tak aff the feild in any place his nychtboris harrowis, h graitht, plewcht nor plewcht geir to work with and beis appre thairwith or knawin doand it sall content and pay to him that a said graithe xx schillingis but remissioun.

Robbe Moreis being persewit be Jhone Annand for xxvi s. mo the price of ane fille quhilk he bocht fra the said Johne tuke on h preif that the said fille deit in the scab within xx^ty dais eftir he bo said fille fra him or ellis to mak payment. [He falzeitt in his preif

April 26th.—The consall assign tua auchtane partis to T Umphray.

May 9th.—Thomas Kar denyit oppinlie in jugement that h said that Sir James Kar tuik out ane bullax of his out of his ho that Sir James cursit for the samyn and instantle Charlis Gray g that he gef the bullax to the said Sir James quhilk he sauld to V Adam and offerit him to varand the forsaid bullax to the said Sir

May 16th.—The assise deliuerit that Thomas Ayir deliuer ane bressin pott to Sir James Douglas quhilk perteins to the said Sir James provyding the said Sir James content and pay to the said Thomas quhat soume the said Thomas may preve that Janet Douglas aucht to the said Thomas and the baillies assignit the Mununday efter Trinate nyxt cumis to preve the said dett and ordanis the pott to be put in the keping of ane baillie q^{ll}. the said day.

June 13th.—Johne Innes, eldar, baillie protestit forsamekle as Johne Annand, baillie, rais ouit of jugement onrequirit be ony parte the court beand fencit in his naym and procurit for William Hill to the hurt of his actioun.

Johne Annand, clerk of the bischopis court, protestit that the preceding contra Wm. Hill be nocht hurt to the bishop of Murrais priuileghe and his regality and that the refusing to replege the said William to the said bishopis court be sufficient caus to call the said baillies and interloquitor to be punist as law vill.

The assise deliuerit that William Hill aucht and suld pay to Johne Innes the sovme of xviii sillingis money and dovme gevin thairupoun.

October 3rd.—Alexander Innes of that ilk electit provest; John Innes, son to umquhill Robert Innes of Rothnakenze, William Gaderar and Alexander Williamsoun electit baillies; William Hay of Mayne chosen precident of said burgh.

Sir John Gibson protestit in name of the chapplanis of the cathedrall kirk of Murray that the production of ane evident in jugement be George Mortimare vpoun ane rude land liand vpoun the south sid of this burgh to the effect the said George motht be enterit in the suit roll for the said landis nocht contenend na anwell to be pait to the saidis chaplanis be nocht prejudiciall to tham in tym cuming bot that tha ma haif zeirlie payment of the anwell thai wer in vse of payment abefoir of the said land.

Gelis Tailzour wes maid fremen and burges of this burgh be consent of the provest, baillies, consell and communate of the samyn and sworin as vse is and payit thairfor v s. to the provest quhilk ves gevin to the puyr folk.

October 17th.—Alexander Wynchester confessit that he becom souerte that the price of ane kow and tua scheip pertenying to Alex^{r}. Hardy suld be furth cumand at the instance of James Vilsoun the price thairof extending to xlvi s. viii d.

Angnes Villsoun ves decernit to pay to Androve Boyne x s. fo half of ane swyne.

The assise deliuerit that Antoun Froster and Alex^r. Douglas w in the takin of schorin aittis out of the feldis of Elgin in greit qu for the quhilk tha salbe put in the stokis and remane thair for houris and gif evyr tha do sic in tyme to cum to be banist this during thair willis that beis baillies.

The assise deliuerit that Alex^r. Douglas wrangit in the strek William Kay throch the coit sleif with ane quhyngar for the qu caus he sall kery na wapin with ane punct for zeir and day and gi he dois sic in tym to cum to be extremlie punist.

October 24th.—Alex^r. Williamsoun confessit that the servi Margrat Calder oo to wmq^ll. Janet Innes (?) lady of that ilk of ony of the ruid of land quhairin the said Alex^r. duellis in be na hu preiudice to him.

Marreoun Bege ves decernit to deliuer ane pott to William S quhilk pott sche confessit that sche borrowit.

James Duf ves decernit to keip Ellene Innes nychtborheid zaird and quhat the said Ellene causis be estimat that sche hes schaythe throch the said James to pay.

November 8th.—Johane Annand oblist him to redeym certane verk laid in ved be him to James Gardin within xv dais and fai thairof it salbe lesum to the said James to apprise the samyn mone.

November 15th.—The prouest, baillies, consell and commvna statut and ordanit that na persoun this zeir schaw vther seidis feldis folloving vnder the payne of ten s. to ilk nytbour that lyis syid of him that brekis and xx s. to Sanct Gelis lycht:—

The thortir feld all aittis.
The lynt haucht beyr.
Cnariscruik pes.
Blayrmvir beir.
The southt syid of Vndersalkis aittis.
The northt syid pes.
The neder salkis aittis.
Knokargat beir.
The svitting akeris beir.

The clay pottis beir.
The tunggis of Baldonishalc quhit.
All that wes quhit thair to be beir.
Fra the goit to the beir / aittis.
Fra the goit to the ron (?) quhit.
All bischopis halc quhit.
And the tungis quhit.
The furdis aittis.
The Sanquare hill pes.
Vnder the hill pes.
The north syid beir.
Brusland aittis.
Staindales beir.
The Cragheid beir.
Palmersyid ry.
Heycht meringis beir.
Gledishalc ry and quhit.
The vast syid of the north of the gallovhill beir.
The est syid thair ry.
Mare vell ry.
The vest half betuyx the gettis and the toder halff thair beir all.
The Fluris beir.
The holinis ry.

Andro Boyne and Alexander Wynchister wer mad kirk maisteris for ane zeir.

November 15th.—Thomas Kar wes fundin in ane amerchiament for the saying that Thomas Ayir hed not pait for the hors he stall fra Hendre Beg and sall pay 1 lib. wax to Sanct Gelis lycht and siclik Thomas Ayir is âne amerchiament for the calling of Thomas Kar pykar theif and sall pay 1 lib. wax siclyk.

November 21st.—It is statut that na person bring beif to hald or sell within this burgh in tyme to cum out of ane suspect plaice quhair the pest of guiddis is or sall happin to be under the payn of banessing of fre and vnfre and ascheting of thair haill geir that sleis or byis ony sic bestis and that na beff be slayne to sell within this brugh quhill thay get lecence vnder the same payne.

Robert Innes decernit to deliuer to Alex^r. Hardy i boll victuall or ellis xvi s. for the said boll.

November 29th.—James Gardin ves decernit to pay to Johne A the sovmes vnderwretin quhilk he referit in his aytht that is to s for the making of ane chartor and instrument vpoun William Inn and tua s. viii d. of the rist of ane instrument of Ferquharis ann four s. for ane doubell assedatioun of Thomas Robertsounis hous t with the just payment for the gevin of tua furris to ane croft be th of tua personis.

The assise deliuerit that William Donaldsoun aucht and suld Angnes Braid x s. in nayme of Sir Dauid Setone.

December 18th.—The provest and baillies and commound co this burgh is electit and chosin commissioneris to sett all con takis of this burgh on the xi day of Januar nyxt to cum for th efter the terme of Vitsunday nyxt thairefter and proclamatiou thairupoun.

The provest be the advyis of the haill comunate hes discha scoill haldin be Sir Thomas Rag in his chalmer in tyme cum it salbe lesum to him to teche in the comound grammer sco the maister and siclik hes requirit and chargit Sir James Kar to t sang scoill conforme to his conditioun.

1552-3.

January 9th.—Legitimation grantit be our Souerane Lord J fyft to Maister William Gordon, thesaurer of Cathnes, and George Gordoun, capitane of Badenoch, his brother [and May (Duffus, thair modir, bastard dochter of Sir John Duffus, chapl natural of Maister Adam Gordoun [read in court and at the croce" and here registered]. . . in cuius rei testimonium pr magnum nostrum sigillum apponi precepimus apud Elgin quarto die mensis februarii anno domini quingentesimo vicesim et regni nostri decimo quarto.

January 30.—Actioun anent the tua auchinpartis debatibi James Innes and Issobell Vilman. [The assise in this case co thirty-one persons.]

March 24th.—The quhilk day ane rycht nobill and my George Erll of Hwntlie Lord Gordoun and Badzenoch and pr

of the law for George Gordoun his sone comperit in jugement and presentit ane breiwe of our souerane Ladais cheppell impetrat at the said George instance to the balzes of this burgh. The said nobill and mychty lord nomine quo supra, tuke instrument and act of court vpoun the fensing of court that the curt forsaid was lauchfullie and dewle fensit in presens of the balzies that na man maid impediment.

Item the said Lord, nomine quo supra, tuke act of court and instrument that Charles George, officiar, maid his faitht in jugement at the command of the balzeis that he maid dew executioun of his office in proclamatioun of the brewe forsaid in presens of certane famous witnes being siclike sworne for verificatioun of his executioun.

The said daye the said lord nomine quo supra tuke instrument and act of curt that the brewe being red indorsatioun thairof and petitioun of the landis in speciall and all parteis callit quha pretendit entres to compeir as thay wald wyn and tyn na persoun comperit to oppone contrar ony point of the samyn.

The said daye the said lord nomine quo supra desirit instrument and act of court that na party comperit to oppone contrar the personis of inquest nor the admissione of thame and vpone thair aithts gevin vpon the samyn.

The said daye the said lord nomine quo supra producit in jugement ane instrument of sesing vpoun the landis pertenying to vmq^{ll}. James Erll of Murraye lyand within the burgh of Elgin of the dait at Elgin the [blank] zeris to be schawin to the personis of assise for seruing of the said brewe.

[The inquest was held in the tolbooth of Elgin in presence of William Hay of Mayne, president of the burgh, John Innes, son natural of umquhill Robert Innes of Rothnakenze, and Alexander Williamson, bailie, on 24th May, 1552, by the following: John Forbes of Tolleis, John Graunt of Balnadallacht, Alexander Gordoun of Baldornie, Alex^{r}. Innes of Plaiddis, Patrick Stewart in Tannaquhy, Charles Geddes, John Innes, David Garntule in Fornaty, Andrew Boyne, burgess of Elgin, Walter Hay, ibidem, John Innes, son of umquhill James Innes of Drainie ibid., James Gardin ibid., William Aulcorne ibid., Thomas Young ibid., John Robertsoun ibid., James Pedder, ibid. and William Hay ibid., who being sworn find that the deceased Alexander, Lord Gordon, brother of George Gordon, bearer of these presents, died last vest and seased in the

lands back and fore in the garden, tail and pertinents in the bur Elgin on the east part of the Queen's High Street between Hervi on the north, the Queen's grace High Street on the south, the la Robert Innes and Elizabeth Douglas on the east and St. Ninian' on the west, which lands pertained formerly to James, Earl of M said lands being valued now at twenty pounds per annum of c Scots money and in time of peace were valued at 13 lib. 6s. 8d. c money.]

[Here appears copy of deed of date 12th October, 1546, showin there compeared before the bailie (Gaderar) "venerabilis vir" Mr. W Gordon, canon of the Cathedral of Moray and prebendary of Dutl attorney of Alexander, Lord Gordon, son and apparent heir of (Earl of Huntly, and there asked sasine of the land and tenemen and fore, with garden, tail and pertinents lying in the burgh of formerly pertaining to James, Earl of Moray, bounded *ut supr* presented precept of sasine from Queen Mary of date 5th Augu fourth year of her reign, which lands now pertained to the Queen of the said Earl of Moray or by privilege of the crown and king escheat by reason that the said James was born and died basta without lawful heirs of his body and without lawful disposition land and tenements. The above was done, the said William being attorney, in presence of William Gaderar, younger, bu Elgin, Sir William Young, Sir William Hume, chaplains of the C kirk of Murray, James Birnie, physician, Sir John Seton knight,

At Edinburgh, 4th February, 1552, before the Lords of Cou George, Earl of Huntly, chancellor, Robert, Bishop of Orkney, M Bellenden, &c., compeared Master Henry Lawder, advocate Sovereign Lady, against John Stuart, bastard son of umquhil Earl of Murray, the said John Stuart having alleged himself l "seasit in ane land, tenement and luging in the burgh of Elgin," *ut supra*, pertaining to Alexander, Lord Gordon, son to George Huntly, "and the said Johne Stuart hes fenzied ane instrume the signe and subscriptioun manuale of . Strathaauchin, Caldell, notar, and hes vsit und intendis to vse the samyn as evident quhowbeit, as the said advocat is informit, the said inst fals and fenzeit. The said Johne Stuart ofttimes callit but peirand the Lordis of Consell decretis that said instrument is availl, force nor effect."

1553.

April 10th.—Statuta. Gif ony flessour blawis fles the samyn to be escheit.

Item gif thay sell within hous x s.

Item na schoris be vpoun ane schep bot tua vnder the payn of ten s.

Item that nayne be derar sald nor tha ar prisit vnder the payne of x s.

Item that nayne be sauld vnprisit vnder the payne of x s. and this statut to extend vpoun burgh and land.

April 17th.—The provest and baillies with consent of the consell and comunate present for the tyme hes statut that ilk auchenpart kep the cornis i day and the club to pas throch all the tovne on that maner and the kepar of the corne for his day to tak of ilk best accep scheip he findis in the corne iiii d. and that na scheip pas vest by the treyne cors noder the gett to the Sanquhary nor Fluris vnder the payne of i d. ilk scheip.

. . . . . .

1570.

The burrow court of the brut. of Elgin halden within the tolbuith of the samyn be Jhone Annand provest and Alexr. Guthery ane of the bailzeis thairof the tent day of Apryle the zeir of God IM. VC. threscoir ten zeiris.

Walter Hay, goldsmyth, burges of Elgin was decernit and ordanit to content and pay to Stewin Couper, indwellar thair xvi s. money for the price of ane skin.

George Skadkayll, cordiner in Elgin was decernit and ordanit to content and pay to Ade Grant, baxter thair, vii s. money within xv days for the bigging of ane mud dyk.

George Bonyman, merchand in Elgin, vas decernit and ordainit to pay to Sir Villiam Dowglas, vicar of Elgin, xvi s money for the price of twa pundis of insufficient unzone seidis quhilk the said George sauld to the said Sir Villiam in Marche was ane zeir.

April 24th.—The quhilk day George Bonyman, merchand in Elgin, was decernit in his absens to pay to Sir Villiam Dowglas, vicar of Elgin,

xxviii s. money for the lois and skayth he hes sustenit in his zair last zeir throch the twa pundis of insufficient vnzone seid sauld be l the said Sir Villiam quhilk was provin and estimeit be Villiam Va

May 29th.—John Anderson, flescher in Elgin, being persewit l wrangus deforsying of Thomas Kar, officiar, in nocht entering witl tolbuith of this bru^t^. on the xxij day of this instant moneth as h was chargit thairto be the said officiar to haif ansuerit at the insta the provest for certane causes to haif bein proponit in his cont said deforsment being denait be the said Jhone Anderson and th the samyn being provin be certane famows vitnes sworn and adm the said Jhone Anderson the jugis present for the tym decernit t Jhone to haif doin wrang in the wrangus deforsyng of the said the said xxij day and thairfoir his hail guids and geir to pertein souerane loird the kingis grace vse and profeit and his bodie to be at his grace vill and pleysour.

June 12th.—The burrow court of the bru^t^. of Elgin haldin wit tolbuith of the samyn be Jhone Annand, provest, Alex^r^. Guthery Thomson, bailzeis of the samyn.

William Hardy, burges of Elgin becom actit souerty and la for Valter Innes, flescher thair, that Jhon Beig, tailzour thair, salbe and skaithles of all bodelly harm in all tymis cuming as law wi the pain of law and the said Valter actit to releys the said thairof.

Valter Hay, goldsmyth, burges of Elgin, vas decernit to pay t Beig, tailzour thair, nyn s. x d. mony within xv days for the rest of cleth coft be him fra the said Jhon dyveris tymis to be gala br making of the samyn.

Archibald Gaderar, burges of Elgin, and Androw Burnet, burg was decernit and ordanit ilk ane off tham to pay to Dauid Vat thair, twa fir. victuall within xv days for supportyng him to giff m Thomas Robertson sen Sanct James day last bypast to Sanct Ja nixt to cum.

The heid burrow curt of the bru^t^. of Elgin haldin within the of the samyn be Jhone Annand, provest of Elgin, Dauid Thom of the balzeis of the samyn the secund day of October the zei I^M^. V^C^. sewinte zeiris the sectis callit the curt fensit and afferm fullie as vse is.

Nomina inquisitionis.

Master Alex^{r}. Dowglas, Villiam Gaderar, Dauid Thomson, Recherd Robertson, Androw Barnet, James Vat, Valter Aildcorn, Villiam Zoung, Blais Alues, Jhone Grant, Thomas Rechardson, Villiam Hardy and Jhon Vmfra, elder.

The quhilk day the personis of the inquyst hes seruit Thomas Zoung, burges of Elgin, neirest and lauchfull air to vmq^{ll}. James Zoung, sone to vmq^{ll}. Robert Zoung, fader broder to Thomas Zoungis fader foirsaid quhilk vmquhill James Zownng deit at our souerane lord the kyngis grace fayth and pace in the moneth of Junij the zeir of God ane thousand fywe hunderyt threscoir nyn zeiris.

October 9th.—Nomina communis consilii: The provest, the four bailzeis, master Alex^{r}. Dowglas, Villiam Gaderar, James Garden, James Sutherland, Villiam Hay, Alex^{r}. Vinsister, zounger, Androw Boyn, and Villiam Aildcorn.

The names of the cunstaris: Franse Jhonson, Recherd Murray and Blais Alues for the south eist quarter, Patric Anderson, Androw Barnet and Thomas Recherdson for the south-vest quarter, Villiam Zoung, Androw Hay and Dauid Vat for the northvest quarter, Androw Cowe, Archibald Annand and Villiam Campbell for the northeist quarter.

The names of the lynnaris: Dauid Vat [and 7 others] with ane of the bailzeis with tham.

Prysaris of flesch: James Pringill [and 6 others].

Statuta.

Item it is statut and ordanit the gallown of guid aill salbe sauld for twa s. the gallown, pryce of the quart vi d. and secundar be the discretioun of the cunstaris.

Item that the twa penny leiff be of xii vnce wecht and the plak leiff dowbill als mekill of guid and sufficient breid and quhen ony persoun or baikster bakis ony breid that the bakister caus the persoun that bakis or him self baik the ane half of twa penny breid and the vther half of plak breid and that the samyn be bakin of flowr sufficient stuff.

Item it is statut and ordanit the twa penny leif of breid of quhyt be of xvi vnce vecht and that na persoun bakister within this bru^{t}. baik to ony persoun of the clois without tha hew the statutis.

Item that the stane of schip tallown be sauld for xiiij s. the stan and stan of nolt tallown for xij s. the stan.

Item that the penny candill be of xi ensche by the oe end the c of the lenth of ane bair coirn the ane half off the candill that salb be of penny candill and that the twa penny candill be of dwbill t of the penny candill.

Item that na persoun carry ony talloun or candill furth thi vnder the pain of xl s. money and the candill or talloun to be es the apprehendaris.

Item that the pect of guid aittis be sauld with the commoun p viij d. the pect.

Item that the best barkit hyd that salbe barkit within this tc be sauld for xxij s. the barkit hyd to fremen and craftismen and s of ane menor price.

Item that the pair menis schoin be sauld for twa s. four d. and s of minor price and vemennis schoin xx d.

Item that all personis bayth fre and onfre within this brut. be sin dischairgeit off ony barking of nolt ledder without speciall lec the provest, bailzeis and cunsall in ony tymis cuming except fr serue thair avin famelly and quha dois in the contrar to pay ten li without remissioun quhow oft tha sallhappin to contrawen the sa

Item that nather provest nor bailze of this brut. relax or l arrestmentis to be maid be the adwyse of the cunsall for brekin of the statutis foirsaidis without assent or consent of the cur thairto in ony tym cuming vnder the pain of ten libs. to be p vpliftit of the lowsaris of the arrestmentis to the commoun wei burgh als oft as he salbe found culpabill thairinto.

Item that all personis that slais flesche to be sauld bring the s the publict mercat with the talloun hyd and skyn thairof and samyn be nocht spoulzeit vnder the pain of eschetyng thairof.

1570-1.

January 15th.—John Anderson, flescher, was decernit to pay Ferie x s. as price of xvi cowpfullis of dry peitis.

Comperit Sir Florens Winsister, cheplan, lyfrenter of ane pec callit Boyellis hortchet and requerit the jugis to ressaif Thom spous to Helen Vinsister and Thomas Tulloch induellaris in Elgir

and cationeris for him that the housis, zairdis, dykis and treis standan and biggit vpoun the said land pertenand to Jhone Annand, provest of Elgin, in heritage salbe of als gude valedity and sufficience the tyme of the said Sir Florens deceis as the samyn was the tyme of the said Jhone Annand, provest, gat first sesing theirof of the dait the secund day of Merche the zeir of God 1556.

Jhone Vmfray, zounger, burges of Eigin, becom actit to pay to dame Elizabet Douglas of Pettindrych fourty tua s. money within xv days for the pryce of ane boll of quhyt and Alex^r. Vinsister, minister thair, fourty fyve s. money for the pryce of thre bollis aittis.

Willam Mussat, leyche in Elgin, was ordanit to delyuer to Alex^r. Williamsone, burges of Elgin, ane lok with ane key of the said Alexanders heych hous.

January 29th.—[Thomas Robertson is seised of] ane pece of land callit Vestir Croftcry lyand betuix the commond landis of the commonety of the said bru^t. callit Eister Croftcry presentlie occupeit be Dauid Thomsone and Thomas Zoung at the eist pairt and the commond passage quhilk passis fra the said bru^t. to the kingis vestir mill at the vest part extending linally fra the kingis he get quhilk passis fra the said bru^t. to Pettindrych and Schanchoryhill at the sowth part to the passage betuix the said pece of land of Croftcry and the watter of Lossy at the north pairt.

Sir Florens Vinsister, cheplan, comperit and ouergef fra him the lyfrent of Boyllis hortchet lyand upoun the south syd of the said burgh quhilk he presentlie dwellis into with houses, biggingis, horchet and zairdis standing thairupoun lyand betuix the landis of Our Lady cheplandry fundit within the paroche kirk of Elgin at the eist part and the stane wall sumtyme of the freiris minoris of the said bru^t. at the vest extending linally fra the bak passage of the said bru^t. at the north part to the croftis of land sumtyme pertenand to Thomas Zoung, now pertenand to Thomas Hay at the sowth part in fauoris of Jhone Annand, provest of Elgin.

Blais Alues, burges of Elgin, was decernit to delyuer to Thomas Gaw, cordinar ane hyd and halfhyd sufficient barkit leddyr quhilkis failzeand to pay as pryce for the samyn fourty tua schillingis money.

Walter Innes, flescher in Elgin, was decernit to pay to Jhone Innes of Auchtluncard thre libs. xv s. viij d. money in compleit payment of four bollis malt.

Alex^r. Cuming, spous to Katheren Douglas, was decernit to de to Thomas Cleroch ane tablet and hert of siluer quhilk Besse Do spous to the said Thomas, laid in plage to the saidis Alexande Katheren prowyding the said Thomas pay sevin s. mony to the Alex^r. quhilk the said tablet and hart was laid awaid for.

William Bomannoch was decernit to pay to Hector Angus xvi the pryce of ane blak bonnet provyding the said Hector resai almery fra the said William for payment of the sowm of thre libs. iiij d. for the pryce thairof quhilk the said bonnet was giffin ir thairof.

William Gordon was decernit to pay to Androw Sanders in Lang xij s. vi d. for the pryce of fyve quarteris muttoun.

February 5th.—Alexander Guthery was decernit to pay to I Innes, broder german to James Innes of Drany xxv s. for the pr aucht scheip.

William Reid was decernit to pay to Patric Andersone ane ha vict. within xv days and ane vther half boll vict. betuix this and tl day of Julij that nixt cumis / and Jannet Reid his sister als mekle v at the days foirsaidis for supporteing the said poore in giffein r Sir Thomas Robertsone cheplan be the space of tua zeiris to cum said xxv day of Julij. [Also Alex^r. Mill to pay to David Tho boll victual for supporting the said David in giving meat to Sir T Robertson, Katherine Adamson, relict of William Kinggorn, to p firlots victual for supporting the said David and Archibald Gade Andrew Burnett to pay to David Watt two firlots victual for sup the said David Watt ut supra.]

February 19th.—William Tailzour, son to vmquhill Robert T was decernit in amerciament in the vrangus iniureing of Jhone Thc alias Thomas Jhone, and streiking the said Thomas vpoun the heic his hous and takein of of his bonnet and strampein of the samy myr befoir the said Jhones duir and thairfoir to remain in the stol space of xxiiij houris and to be baneist of this toun gif he comm offensis to ony persone within this town in ony tymes cuming.

Actum extra judicium in presentia Joannis Rutherfuird vniu orum burgi de Elgin primo die mensis Martii anno Domini 157 quhilk day George Gray, induellar within the brut. of Invernes, h constitut and ordanit Charles Gray, burges of Elgin, his lauchfull c

and assignay in and to ane tua handit swoird delyuerit be him to be eikkit be Jhone Lamb, smyth in Rossyll.

1571.

The burrow court of the brut. of Elgin haldin within the queir of the paroche kirk of Elgin be Jhone Annand, provest, and Dauid Thomson, balzie of the samyn, the last day of Apryll the zeir of God I^M. V^C. threscoir xi zeiris. Jhone Watson is decernit to mak ane sufficient dyk at the endis of his zaird and betuix the said Jhonis zaird and James Pringillis zaird safar as salbe modefeit and decernit be the lynaris of this brut.

James Mechell confessit judicially as he that was persewit be Patric Grant of Daluey that he had resauit fra Master Villiam Grant broder germane to the said Patrec ane targat of gold in plege of sewin libs. ten s. monye quhilk the said James refereit in the said Mr. Williamis ayth the awaill of the said targat extending to the weicht and awaill of ten crownis of the sone.

May 7th.—Thomas Vmfra, burges of Elgin, comperit judicially and thair renuncit and owergef fra him his twa auchtenparts of land lyand within the greischip of the said brugh in the handis of Dauid Thomson, ane of the bailzeis, be ane officiaris wand in fauoris of Hew Vmfra his sone and apperand air his airis and assignais quhilk Dauid Thomson, bailze, at the command of the bailzeis and the rest of the burgessis and fremen of the said brut. and be thair consentis hes giffin and giftit of the saidis twa auchtenparts of land to remain with him in all tymis cuming as vse is to burgesses of this burgh to jose and occupy for payment of xl s. for his entres siluer thairof to the common guid of this brut.

June 25th.—Jennet Kar, spous to Jhone Duncan, was decernit in ane amerciament for the wrangus iniuryng Megot Nachty, spous to Dauid Scherar, in saying Maky maie yow ceist ane barrall of makis furth of the weym yow castis bot kitlyngis and nocht childeryng, and thairfor to remain in the tollbuith xlviij houris and giffe scho commit sic iniurius wordis or the samyn to the said Megot or to ony vtheris person or personis in tymis cuming to pay fywe libs. mony to the person iniurit.

June 28th.—*Statutum. Ane act maid for stanscheing of birnyng of peittis within the mois of Mostowe.* George Robertson and James Duff,

smythis in Elgin, of thair awin fre moteif villis becom actit nocht to no paittis within the mos of Mostowe in na tymis cuming nor caus servandis birn peittis betuix Pasche and Hallow day vnder the pa ten libs. monye.

October 1st.—Curia capitalis burgi de Elgin tenta in pretorio ejus The quhilk day Thomas Zoung, Dauid Thomson, James Gardin Alex^r^. Guthery war creatit bailzeis for the space of ane zeir quha thair ayth of fidelity for leill and trew administratioun of the said c The said day William Hay was creatit scrybe quha maid his ay fidelety. The said day Martein Sinclair was creatit dempster quha his ayth of fidelyty as said is.

Nomina communis consilii: The provest, the four bailzeis, Alexa Vinsister, minister [and 7 others]. The lynaris: Alex^r^. Vinsister, [and 5 others]. The prysaris of flysche: Alex^r^. Vinsister, elder [a others]. The cunstaris: Franse Jhoneson [and 11 others].

Statuta.

It is statut that the galloun of best eill within this bru^t^. salbe saul tua schillingis and the secundar of minor pryce be discretioun o cunstaris.

Item that na plak bred be baikin within this bru^t^. for the space o zeir to be sauld be na persone within the samyn vnder the pane of fou vnla quhow oft thai contravein the same. Item that all personis w this bru^t^. baik tua penny leiffis of sufficient stufe and weill baikin tc the veicht of aucht vnce vnder the pane of escheting of the haill ba baikin for ilk tyme.

Item that the stane of nolt talloun be sauld for xij s. and s talloun for xiiij s. vnder the panis foirsaidis. The penny candle o xj inche lenth and of thiknes of ane beir coirn and the reside candillis aboif the same according to the saidis statutis pryce.

The pek of guid hoirs corn for x d.

Item that sufficient barkit hyddis be sauld for xxx s. to all per within this bru^t^. and insufficient of minor pryce vnder the par escheteing and that nane kary nor sauld the same vttouth this bru the awys of the consall vnder the pane foirsaid.

Item that all cordineris within this bru^t^. or vttouth the same sall happin to sall schone within the same that thai sall the pa

menis schone for thre s. and the wemen schone for tua s. of the best thai haif and the secundar of minor pryce.

That all personis slayaris of flesche within this brut. or vttowth the same and bringis to be sauld within the same to bring the hyd, skyn and tallown to be sauld within the merkit of the brut. foirsaid vnder the pane of escheting of the flesche.

October 3rd.—Villiam Zoung, sone and apperand air to Thomas Zoung, burges of Elgin, with consent and assent of the bailzeis cunsall and maist pairt of the burgessis of the said brut. was maid burges and freman thairof quha maid his ayth off fidelity thairupoun according to the vse of burgessis for the quhilkis he payt fywe s. mony. Efter the quhilkis Alexr. Mill maid judicially assignatioun of ane of his auchten partis of land lyand within the greschip of the said brut. in fauoris of the said William Zoung.

1571-2.

January 7th.—Head Court.—The jugis hes assignit this day xv days to James Gardin to produce his evidentis for incerting him in the suit roll of this burgh for the landis of Sanct Duthakis cheplanre.

January 21st.—The burrow court of the brut. of Elgin haldin within the queir of the paroche kirk of Elgin. The quhilk day David Torry and Jhone Mill, skynner, induellars in Elgin, producit thair supplicationis in wreit desyring the bailzeis, counsall and community burgessis of the brut. of Elgin judicially present for the tyme to admit and ressaif thame as burgessis and freemen of the same, quhilk supplicationis and petitionis being red the bailzeis, counsall and community burgessis of the said brut. all in ane voce admittit the saidis David and Jhone to the liberty and fredome of the said brut. and that in respect of thair guid behaiffingis in tymes bypast quhilkis Dauid Torry and Jhone Mill maid thair aithis of fidelity to be trew and leill burgessis of the brut. foirsaid and als vthirways as vse is of burgessis to mak thair faith of fidelity in tyme of thair creatioun for the quhilkis ilk ane of the saidis personis ar becum actit to pay to the thesaurer of the said brut. to be furthcumand to the vtility of the commond weill thairof fourty schillingis mony of this realm.

Villiam Gordoun was decernit to pay to Jhone Innes of Auchluncard thre libs. mony as souerty for Thomas Gillimichaell in Glasgrein.

January 29th.—Agnes Broun, spous to Androw Mill, was decern amertiament for the wrangous iniuring of Margaret Smyth, spou Charles Gray, in calling her freiris hour, preistis hour, and thairfor fund Jhone Annand souerty for fyve libs. gif scho iniuris hir the ly tymes cuming.

February 2nd.—Thomas Robertsone, burges of Elgin, becom ac pay to James Gardin, burges thair, the sowm of tuenty ane libs. schillingis aucht penneis vsuall mony of this realm as souerty cationer for ane rycht hono[ll]. Lady Dame Elizabet Gordoun, Lac Finlatour, quhilkis failzeing to content and pay to the said James G thretty tua bollis victuall for the said sowm of money to wit ane b victuall for ilk mark of money.

February 11th.—Jhone Innes, lemmand to Bessie Hay in Elgin decernit to pay to Robert Tailzour xxxx thre schillingis four pe vsuall money of this realm within twenty ane days for the rest of l for the biggyng of ane owne in Garmoch.

March 10th.—Alexander Cuming, spous to Katheren Do induellar in Elgin, be his awin confession was decernit to p Jhone Cramond in Inschekeill xxxv s. money betuix this and Sunday for the pryce of fywe firlottis malt.

1572.

March 29th.—Burrow Court. The jugis at the desyr of Wm. Z sone to Thomas Zoung, burges of Elgin, hes ordanit that ane bailzeis of the said burgh with four circumspect burgessis of the pas to the landis of the greischip thairof quhair Alexander Mill auchten partis of land lyis and thair cawill and diwyd the sone tham fra the schaddow syd thairof that the said William Zoun knaw and intromet with the ane auchten part thairof of quhilk l the sune syd thairof be resson the said William Zoung hes assignatioun thairof be the haill burgessis of the said burgh be dim thairto be the said Alexander in thair handis in the saidis bailzeis judicially in fauoris of the said William.

May 12th.—Jennet Paterson, the relict of vmq[ll]. James G sadler in Elgin, was decernit be hir awin confession to delyuer

Villiam Sutherland, person of Moy, ane irn pot quhilk sche borrowit fra him at the feist of Zowill in anno 1570 or the just awaill thairof.

June 23rd.—George Skadkaill and his spous was decernit to pay to Valter Innes, flescher, aucht s. mony and sufficient zewpingdaill within xv days in compleit payment of ane syd of beiff, ane quarter of multoun, four veymis of panscheis, fywe glang of nolt feit and ane zewpyngdaill laid in plege to the said Georges vyff to the said Valter and als decernit the said Georges vyff in amerciament for the wrangus injuryng the said Valter in callyng him scheipstaller and commond theif his fader decessit ane beggar and his moder ane commond hewr and all his sisteris commond theiffis and thairfoir to ask him forgiffyngis for the samyn and siclyk on Sunday nixt to cum to compeir in tym of preching afoirnoin in presens of the minister and congregatioun within the paroche kirk of this brut. and siclyk ask the said Valter forgiffyngis and say thair to him scho knawis no thing to the said Valter his fader, moder nor sisteris bot guid and honesty and that the iniurius wordis scho spak was of na trewth vnder the pain of x merkis monye. Elspet Boyne, spowes to George Skadkaill, vas found in amerciament for the vrangus castyng of ane stain at George Robertson, smyth, on the kyngis / g / he get of this brut. on Mununday the xvi day of this instant moneth and giffing the said George thairwith on the arme bla and bluid and thairfoir to content and pay for the damnege, hurt and skayth the said George hes sustenit throch the said hurt in nocht vynnyng his leiwyng be his occupatioun sensyn vi s. viii d. within xv days.

July 21st.—Alexander Hardy, flescher, was decernit to pay to Robert Cowk in Bruchsey xxvi s. viij d. monye within xv days for the rest of the price of four multoun bowkis coft be the said Alexander fra him.

July 30th.—Alexander Sinclair in Elgin, sone to Sir Alexander Sinclair, chaplen, was decernit to pay to George Skadkaill, cordiner, ane boll sufficient victuall as cationer for Alexander Farchar in Glasgrein.

September 3rd.—Jhone Blindschein, sumtyme ane of the freiris predicatouris of Elgin, hes constitut, creatit and maid William Hardy, burges of Elgin, his lauchfull indowtit and irrevocabill powar, mandiment and chairge to persew as his procuratour all personis awand to him sowmes of mony or victuall or ony vthir guidis mowabill.

October 6th.—Head Court.—The jugis hes ordanit twenty schillyngis zeirly annuell to be vptakin furth of the ruid of land sumtym pertenying

to Sir John Gibson and now to Hector Angus lyand upon the north of the burgh of Elgin to be payit to Sir Thomas Robertson, chepla Sanct Kathereinis chaplenry fundit within the paroche kirk of the burgh and to his successoris cheplanis thairof, quhilkis failzeing t provest, bailzeis, cunsall and thesauraris thairof to be furthcumand t vtility and profeit of the commond guid of the said burgh as dona of the said chaplenry with vi s. viij d. to the thesaurer thairof an successouris.

Creatio prepositi, balliuorum, clerici, officiariorum et administrato

The said day Jhone Annand was maid provest of this brut. Th Zoung, Dauid Thomsoun, Alexr. Guthery and Thomas Rober bailzeis of the said brut. Sir James Jhonestoun, William Hay, cl Thomas Kair, Charlis Gray, Androw Kay, Androw Lang, officiaris, Martein Sinclair, dempstar, quha mayd thair aithis of fidelity for and trewe administratioun of the saidis officessis accordyng to electioun for the space of ane zeir except Sir James Jhonistoun was nocht present the tym of the creatioun.

October 16th.—Candilmakaris: Mage Warden, Viddow Gut Margaret Laing, Jennet Kaberis, Alexr. Hardeis vyf, Mage Ande Androw Kayis vyf.

Baikstaris of breid of quhyt and maill: Adam Grant, Robert M Recherd Robertson and Androw Schand.

Statuta.

Item that the plak leiff of breid of quhyt be of xx vnce vecl sufficient bakkin breid and the twa penny leiff thairof be of x vnce and the aitt leiff be sald for twa pennies vnder the pain of delyng.

Item that the stain of scheip talloun be sauld for xiiij s.

Item that the stain of nolt tallown be sauld for xij s.

Item that [na] persone within this brut. pas vttouth the samyn candill nor send nane vther persone or personis in thair namis vnde pain of escheting thairof and banesching of this town.

Item nain vther personis mak candill to sell excep the persons expremit.

Item that the pect of guid hors coirn be sauld for x d.

Item that the best barkit hyd that ony freman within this bru bark be sauld for xxx s.

Item that the best schoin that can be or salbe maid within this brut. conuenient to mennis feit be sauld for thre s. and to wemennis feit or personis of sic quantety for ij s.

Item that the flescharis bayth to brut. and land that bringis or hes fleisch to sell within this brut. to haif and bring the hyd, skyn and talloun thairof with the samyn to be sauld into the merkat and that na flesch be blawn nor spoulzeit.

Item that the haill stallingeris of all craftismen within this brut. be arrestit nocht to work in thair buthis vpoun the foirget of this brut. in na tymis cuming quhill thai obtein leceance of the provest bailzes and cunsall of this brut.

Item [it] is statut that giff ony persone of the cunsall being warnit thairto being at hame and absent thairfra for ilk tym of his absens to pay viii s.

Item it is statut that na eit kakis be bakin to be sauld vttowth ony man or womannis hous of the brut.

October 25th.—It is statut that na freman of this brut. that salhappin to bark leddir sall sell ony to na persone quhill thai mak aduerteisment to ane of the bailzeis, quhairbe the bellman with the handbell may pas throch this brut. to mak varnyng to all personis bayth fre and onfre thairanent to cum and resaue thair barkit leddir vpoun the pryce conform to the statut maid and that nain þe sauld be na extranear quhill the townschip be seruit.

It is statut that na vnfreman bark no oxin nor ky hydis within this brut. nor uttuth the samyn within this schyr quhill thai obtein thair fredome bot only fremen of this brut. vnder the pain of eschetyng thairof becaus it apertenis to no onfreman to bark and that nain of tham work no schoin nor buttis to na persoun within this brut. of thair awin leddir within thair buthis nor vttuth the samyn quhill thai sall find souerity to keip the stattutis maid vnder the pain of fywe libs.

November 3rd.—Alexander Vinsister, minister, vas decernit to pay to Master Patric Balfour, master of the grammer scoill, xxx twa s. lent monye within xv days.

Jhone Chalmer, flescher, vas decernit to pay to Thomas Hay, chapman, xi s. mony for the price of four elnis ane quarter and half quarter linyng cleth.

Jhone Beig, tailzour in Elgin, was decernit to pay to Walter Innes,

flescher, ane golden ryall allegit worth thre libs. ane thretty s. pecce iij s. mony.

Mr. Patric Balfour, master of the grammer scuill of the bur Elgin vas decernit to pay to John Anderson, flescher, xxvii s. mon souerty.

November 24th.—Jhone Annand, provest of Elgin, be his awin p confession was decernit and ordanit to content and pay to Thomas burges thair, xx ane s. vi d. monye within xv days as souerty and cat for Isabell Crysteson, lemman to Sir William Sotherland, person of

December 1st.—Anton Williamsone wes decernit to pay to Ar Welles, chepman, sevin schillingis sex d. for the pryce of fyve qu poledawy canves.

December 20th.—The burrow court of the brut. haldin withi queir of the paroche kirk thairof be Jhon Annand, provest, I Thomson, bailze of the samyn the xx day of December.

The quhilk day Alexr. Guthery, ane of the bailzeis of the br Elgin, at the command of the provest, bailzeis, consall and commu burgessis of the said brut., gef assignatioun of tua auchten partis of lyand within the greifschip of the said brut. quhilk pertenit to An Kingcorn, burges thair, ane part thairof lyand within Baldonis h Schanchory hill, Bruisland, Stanideillis, Bischopishauch, etc., and re be the said Androw in the said Alexris. handis in fauoris of Re Robertson, his airis and assignais conform to the ordour and statu the said brut. be delyuerance of ane vand as vse is ressavit furth o handis of Thomas Kar, ane of the officiaris of the said brut., in taikir vitnessing that the saidis tua auchtenpartis of land sall remain wit said Rechard his airis and assignais conform to the ordour and st of this brut. obseruit in tymes bypast for the quhilkis the said Re hes payt instantlie and judiciallie fourtie schillingis vsuall mony o realm to Jhone Annand, provest, for the entres silwer of the saidi auchten partis of land ad utilitatem reipublice.

Christen Dunbrek, the relict of vmqll. Alexr. Williamsone, burg Elgin, wes decernit to delyuer to Jhone Williamson, burges of Elgi sone the airschip guidis eftir following as air to his said vmqll. quhilk the said vmqll. Alexander hed in his possessioun the tyme o deceis and intrometit with be the said Christen to wit ane pleuch plew irnis, the best slingit (?) zok, ane kart, ane muksled, ane varstay

almrie, ane metbuird with the treslis and furmis thairof, ane cheir, ane standend bed, ane greit kist, ane creuk and ane mask fat within xv days.

The jugis decernit Valter Hay, goldsmyth, burges of Elgin, being oftymes callit and nocht comperand to pay to Jhone Lyntoun sevin schillingis four penneis for the rest of the pryce of tua lynkis of gold sauld be the said Jhone to the said Valter.

George Gray, maltman, wes decernit to pay to Andrew Rag thre firlottis beir with his awin firlot with thre dischfullis of malt grund or ongrund and the said George becom actit for his wyff Janet Ingram that scho sall in all tymes cuming abstein fra iniuring of Issabell Smyth, spous to the said Androw, in calling her vitche, kairling, pyker, sprodach, theif or ony uthir kynd of iniurius wordis vnder the pane of fyve libs. money to be payt ad utilitatem reipublice and siclyk Androw Rag becom actit for his said spous that scho in na tyme cuming sall iniure the said George Gray in calling him steller of scheip or ony vther maner of iuiurius wordis.

1572-3.

January 12th.—The quhilk day Alexander Thomsone, sone and apperand air to Dauid Thomson, burges of Elgin, was maid burges and freman of the said brut. be the consent and advyse of the provest, bailzeis, cunsall and community, burgessis of the said brut. quha maid his ayth of fidelyte as vse is of burgessis to mak thair aythis in tym of thair admissioun of burgessis and payt thairfoir fywe s. to Jhone Annand, provest, to be giffin to the suddartis to by fyr to thair gardhows.

January 25th.—Ane blak quhyt hornit cow of four zeiris auld with her calf blak hummillit was sauld in Quhytwra for sevin markis.

January 26th.—Jannet Oudny, induellar in Elgin, wes decernit to delyuer to Thomas Colly, maissoun thair, ane stain aix pertenying to him quhilk scho ressavit fra him in plege of fyftein penneis monie for breid and aill providing the said Thomas pay her that same on the ressaving of the said aix.

Mage Pakman, spous to Henre Froster, wes decernit to pay to Issabell Kemp, servand, aucht s. monie thre quarteris harn cleith and half eln of lynning cleith, ane pair mendit schone and oldren sark for his

fie and buntays in seruice making to the saidis Henrie and Mage b the feistis of Vitsonday and Martimes last bypast.

Thomas Gaw, cordinar, was decernit to pay to George Scac cordinar, sax schillingis aucht penneis quhilk the said George pay him to William Hardeis wyff for playing aill quhilk he tint at the this instant zeir.

February 9th.—Issobell Kemp, now seruand to Jhone Vmfra, zou was decernit and ordanit to pay to Henry Froster, cordiner in I xviij d. monye for the remanyng fra hir servante makyng to him oulkis betuix Vitsounday and Mertimes last bypast.

February 16th.—Androw Brodye in Kirktoun of Duffous and An Hay in Cowesey becom actit and submittit tham to the jurisdicti the provest and bailzeis to pay x s. monye to be furthcumand t commond weill of the burgh for the howsing of quhyt fisches in t bypast and nocht presenting the samyn to bein sauld in the com fische mercat and alsua in caice thai or ony ane of tham do the sam lyk maner in tymes cuming the haill fysche that sall pertein to tha the tym and quhow oft thai do the samyn to be eschet and confis the said commond weill.

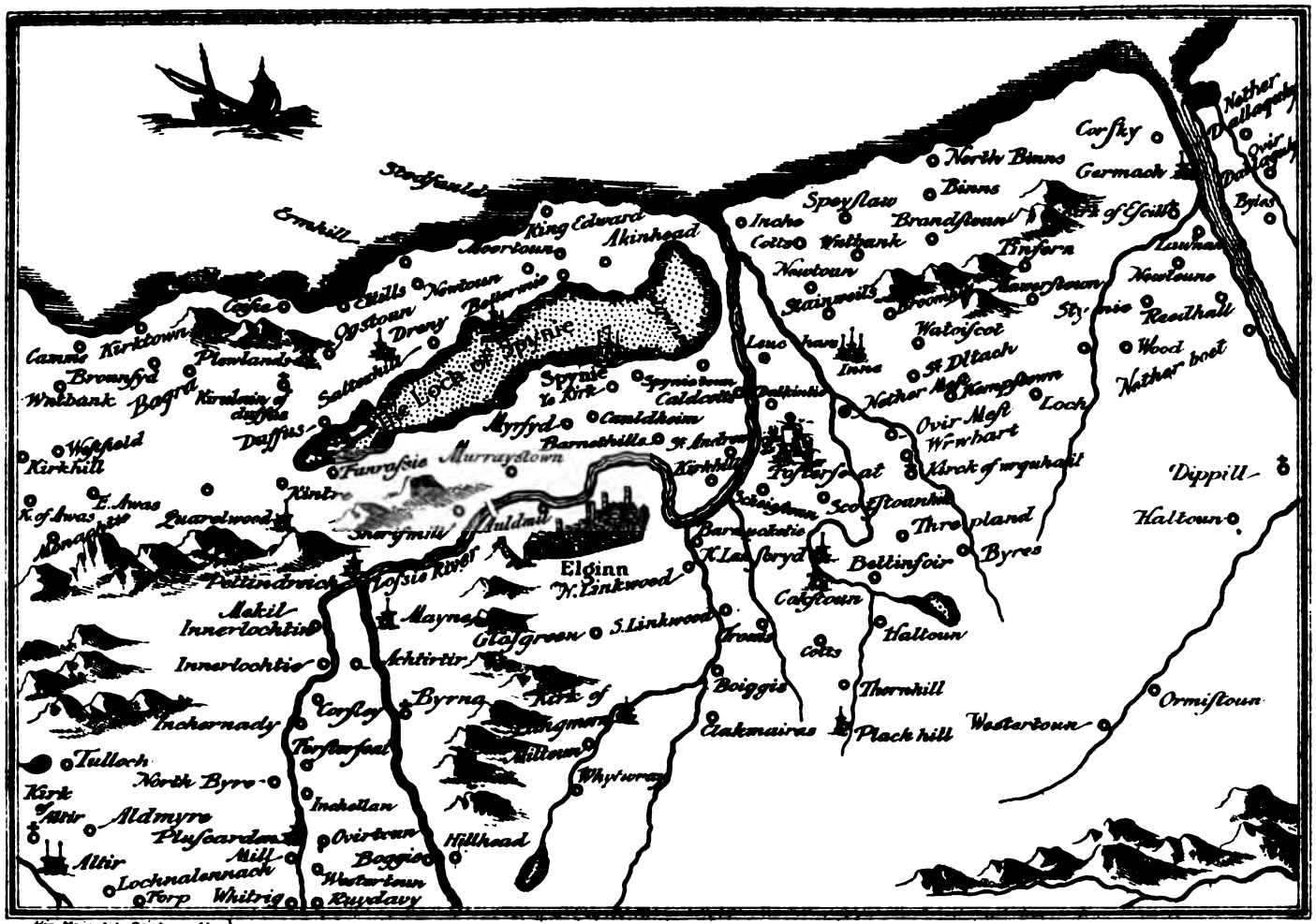
February 23rd.—Walter Hay, goldsmith, was ordanit to delyu Thomas Robertson ane siluir spoin of James Ogilweis of Blara contenand ane vnce and half quarter vnce wecht sufficiently maid o of the vecht of the rest of the said James spunis within xv days an said Thomas ordanit to delyuer to the said Valtir thre pundis vec grein zairn within xv days the said Walter payand for the littyng th to the said Thomas.

March 2nd.—Thomas Smyth, merchand, was decernit to delyue pay to Jhone Jameson, seruand, xij s. monye, twa pairs new schoin pair new schoirt hois of quhyt cleth, ane pair auld brekis, ane castyng coit and ane eldren sark of the said Thomas for the said Jl fee and buntais in makyng seruice to the said Thomas betuix Vitso and Mertimes last bypast.

Alex^r. Hardy, fleschar, was decernit to pay to Criste Sander Scherestoun for the pryce of ane zew xij s. vj d.

March 9th.—William Mawer becom actit to pay to Sir James T chaplen, thre bollis malt.

Thomas Annand, son to vmquhill Sir Jhone Annand, chaplen,



His Majesty's Printers Aberdeen

NEIGHBOURHOOD OF ELGIN
FROM BLAEU'S ATLAS · 1662

decernit to pay to Hellen Mill ane sufficient croune of the sone quhilk Master Valter Gordoun hir sone send with him to giff to hir twa zeiris bypast.

1573.

March 30th.—Head Court.—William Malcom was seruit air to his vmquhill fader in ane ruid of land on the north syd of the brut. extendyng fra the kyngis he get of the said brut. at the sowth part to the deid dreych at the north part.

Androw Vallas, merchand, becom actit to pay to William Mosset, leche, xvi s. monye for the heleing of Alexander Scherar quhilk he hurt and the said William actit to releiff the said Androw at the handis of William Ferguson, leche, of ony payment making to the said William Ferguson for ony cuir he did to heill the said Alexander of the said hurt.

April 13th.—Blais Alues was ordanit to pay to Archibald Annand, burges, ane boll victuall for supporting him in giffing meit to Sir Thomas Robertson, chaplen, sen the xxv day of July in the zeir of God 1571 zeiris quhill the said xxv day of the said moneth that nixt cumis.

May 4th.—*Feing of the Pundar.* The bailzeis with consent of the haill nebouris of this brut. hes feit William . pundar within this brut. for keiping of the coirnis of this burgh for this present crop quhill the samyn be schoirin and led of the feildis thairof and that for payment to him of xxi s. iiij d. fie and his meit as utheris pundaris gat in all tymis bypast and quha giffis nocht his meit to him as vse is to pay xij d. for ilk days meit he salhappin to want and ane plak for ilk heid of nolt or hors salhappin be tain upon the coirnis and ane penny for ilk heid of scheip. Ilk onfreman to pay iiij d. for the pundaris meit.

May 18th.—Valter Hay, goldsmyth, was decernit to pay to Jhone Chalmer, flescher, ten s. mony for beiff and multoun.

George Skadkaill was decernit to pay to William Mosset, leche, xx s. monye as souerty for Villiam Thomson in Straythylay.

July 6th.—Christen Dunbrek, the relict of vmquhill Alexander Williamson, vas decernit to pay to Johne Donaldson ane boll victuall for supporting the said John in giffin meit to Sir Thomas Robertson, chaplen, sen the xxv day of July, 1571 yeiris, quhill the xxv of this instant moneth.

The burrow court of the brut. of Elgin haldin within the queir of
paroche kirk of the samyn be Thomas Zoung, Alexr. Guthery a
Thomas Robertson, bailzeis of the said brut., the xx day of July the
of God 1573 zeiris the suittis callit, the court fensit and lauchfu
effirmit.

Nomina inquisitionis: Mr. Alexr. Dowglas, William Gaderar, Al
Dowglas, Jhone Rutherfuird, Thomas Vmfra, Recherd Robertson, Jh
Cuming, Jhone Grant, James Pringill, William Zoung, Robert Ma
Dauid Vat, Dauid Torry, William Hardy, burgessis of the brut. of El
and James Gardin, indweller thair.

COMES HUNTLY.—The quhilk day comperit ane nobill and myc
loird, George, Erle of Huntly, and presentit ane breiffe of our souer
lord the kingis grace chappell purchest at his instance for serving of
as neirest and lauchfull air to vmquhill George, Erle of Huntly,
fader of all and haill the lands and annuell rents with the pertin
quhilk his said vmquhill fader decessit at our souerane loird the ki
grace fayth and pace within the said burgh cleirly execut and ind
be Charles Gray, officiar, at the command of Alexr. Guthery, ane of
bailzeis of the said brut., quhilkis being red judicially and na opposit
maid in the contrair be na person nor personis . . . the said nobill l
desyrit act of court and instrument thairupoun . . . quhilk petition
precept being red and oppin proclamatioun being maid at the queir
of the paroche kirk of the said brut. being the tolbwt. of the samy
the tym in defalt of ane sufficient tolbwt. and na oppositioun maid i
contrair . . . quhilkis being red and publisit as befor exprimit
personis of inqueist removit furth of court Thay being ryply and m
consultit and advysit vpoun the pointis of the said breiff and procl
tioun and indorsatioun of the samyn and contentis of the said peti
togiddir with the sasyngis and euidentis of the said vmquhill Ge
erle of Huntly and dame Elizet. Keyth his vmquhill fader and mo
euidentis togidder with ane decreit befoir the loirdis of cunsall q
the proces of forfaltour led and procedit aganis his said vmquhill
was reducit and als vpoun ane instrument of sesyng quhair he was
as nerest and lauchfull air to his said vmquhill fader of the half o
ackir of land of Culsauertlye callit the Courthill as principall ma
the landis of Culsauertlye at our souerane lord the kyngis grace
moderis fayth and pace Thay haiff God and guid consciens befoir

eeis Thay reterit judicially in presens of the jugis aboin wrettin and thair be the mouth of Mr. Alex^{r}. Dowglas, chancellar, nominat and admittit be all the personis of the inquest and movit and fand that the said vmquhill George, erle of Huntly, fader to George now erle of Huntly decessit the xxviij day of the moneth of October or thairby in the zeir of God I^{M}. V^{C}. threscoir and twa zeiris at our souerane loird the kyngis grace deirest moderis fayth and pace and that the said nobill and potent loird now George, erle of Huntly, is nerest and lauchfull air to his said vmquhill fader in and to all and haill ane tenement of land mans and dwellyng place within the said bru^{t}. with howsis, biggyngis, zairdis, toftis, croftis and vtheris thair pertinentis quhatsumeuir lyand vpoun the north syd of the said bru^{t}. betuix the landis of vmquhill Robert Innes burges of the said bru^{t}. at the eist part and the landis of Sanct Ninian fundit within the cathedrall kirk of Murray than possedit and occupeit be vmquhill Cudbert Cuming at the vest part with the zaird of the samyn fra the commond he get quhilk passis fra the said bru^{t}. to the kathedrall kirk foirsaid at the south part distendand fra the dwelling place tharof extending in breid fra the zaird and landis of ane nobill Ladie Dame Eliz^{t}. Dowglas, dochter to vmquhill hon^{ll}. man Dauid Dowglas of Pettindreych at the est part vnto the landis of vmquhill Jhone Cowe, burges of the said bru^{t}. at the vest part and in lenth fra the landis of vmquhill William Innes Dauid Hardy Jhon Barbor and Cudbert Cuming at the south part vnto Harveishauch at the north part and that the saidis landis with thair pertinentis ar now worth be zeir the sowm of twelf pundis vsuall monye of the realme of Scotland and war worth the tym of pace the sowm of thre pundis monye foirsaid and that the saidis landis with the pertinentis lyand and bundit as said is ar haldin of our souerane lord the kyngis grace be service of fre burgage and that the saidis landis with the pertinentis bundit and lyand as befoir exprimit ar and has bein in our souerane lord the kyngis grace handis sen the deceis of ane nobill Ladye Dame Eliz^{et}. Keyth, Cuntes of Huntly, conjunct fear of the saidis landis quha decessit in the moneth of . the zeir of God I^{M}. V^{C}. threscoir and aucht zeiris in default of the just persuit and tytill to the saidis landis, mans, lugyngis, howsis, orchardis, toftis, croftis, pertinentis and pendiculis thairof bundit and lyand as saidis Quhilk Mr. Alex^{r}. Dowglas, chancellar, protestit that the retour of the said service be nocht extractit furth of the court bukkis of this bru^{t}. quhill

the said instrument of sesyng of Culsairetly be interit in to the bı
court bukkis of this bru^t. and the decreit of the reductioun of the p
of forfaultry foirsaid be siclyk interit thairinto for the varrandice of
seruice foirsaid quhilkis the jugis decernit and ordanit to be doin
the awyse and consent of the said nobill and potent loird and alsu
said Mr. Alexander, chancellar, for himself and the remanent perso
the inquest tuk act of court and instrument that na persone nor p
comperit this day to oppoun or gainsay the pointis of the breiff inc
tioun proclamatione thairof the personis of the inquest suorn
admittit no pointis of the petitioun nor na part of the euidentis prc
be the said nobill and potent loird this instant day for stoppyng c
said seruice of the quhilk instrument and decreit of reductioun c
process of forfaltory the tenor efter followis sequitur tenor instru
In Dei nomine Amen . . .* The tenour of the decreit of reduct
forfaltour efter follows: At Edinbru^t. the xxiiij day of Janur the z
God ane thousand fyve hundreth threscoir sevin zeiris the Lor
Counsall vnder vrettin that is to say ane nobill and mychty lord J
Erle of Mortoun, Lord Dalkeyth etc. chanceller Reuerend fathe
God, Alexander, bischop of Galloway, Adame, bischop off Orkney,
James Balfour of Pettindrecht, knycht, commendatour of Pettin
maister William Bailze, Lord Provand, Maister Alexander Dunbar
of Murray, Maister Robert Maitland, dene of Aberdene, Maister
Vod, Maister James McGill of Rankelour, under clark of regester,
Jhone Ballenden of Auchnoull, Justice Clark, and Rychart Maitla
Lethingtoun, knychtis, Maister Jhone Spens of Condie, aduocat t
souerane lord, Maister Henre Balnavis of Halhill, Maister Jhone
stanis, Licentiat in the lawis Anent the summondis raisit at the in:
of George, erle of Huntlie, for himself and as sone and air at th
apperand air to wmquhill George, erle of Huntlie, his father Qu
wer infeft in the offices keiping of the castell and tenement of
respective efter specifeit befoir the making of the infeftment

* The deed is of date 13th April, 1568, and bears that George, Earl of Huntly, pı
before the notary public a breve of the King's chapel, setting forth that George, Earl of
father of George, now Earl of Huntly, died last vest and seised in half an acre of the
Culsairetlie, called Court Hill, as principal messuage of the lands of Culsairetlie, anc
superiority of the said lands of Culsairetlie, and in the forest of Boyne, and the lar
lordship of Enzie, and that the said George, Earl of Huntly, bearer of these presents, is
heir to George, Earl of Huntly, his father, in said lands, and that he is of lawful ag
King therefore commands sasine of said lands to be given to the said George, Earl of H

mentionat Quhair throw the said George, erle of Huntlie, hes guid actioun for himselff and for his interes as sone and air at the leist apperand air foirsaid respective To reduce the infeftmentis efter specifeit aganis ane noble and potent prince James, erle of Murray, Lord Abernethie, regent of this realme, and all vtheris havand or pretendand to haif interes in the mater efter specifeit Tuiching the productioun befoir the lordis of counsall of the pretendit infeftment maid and gevin be our souerane lordis darrest moder to the said James, erle of Murray, her brother and the airis specifeit thairintill heretable of all and heill the serefschip of the serefdome of Innernes and keiping of the castell thairof Togidder with the landis vnder wrettin gevin and assignit and in the chaker rollis zeirlie allouit for the fie and keiping of the said castell viz. the landis of Litillhiltoun, Potterland, Meikle Hiltoun, Casteltoun of Leifair, Culdovienit, Knockingill, Corbrek, Bellicoveritt, Essie, Cordortituid, Barrathine, Drumdalzak, Bochtobuie, Dunnavarrie, Dunnamcmoir, Dancartache, Dangin, Dauchtoune, Dauchtarny, Dauchlerig, with the fishing vnder the vall of the said castell pertenying thairto with all thair pertinentis lyand within the serefdome of Innernes as sumtyme pertening to the said George, erle of Huntlie, in heretage and as pertenyng and becum in to oure said souerane Lordis darrest moder the tyme of the making of the said pretendit infeftment be ressone of ane pretendit proces and dome of forfaltour led and deducit aganis the said George, erle of Huntlie, as at mair lentht is contenit in the said pretendit infeftment of the dait the vij day of May the zeir of God I^M.V^C. lxiij zeiris with the sasing following thairvpoun [with an infeftment of date 22nd January, 1563, made by the king's mother to James, Earl of Murray, her brother, and his heirs, of the said office of sheriffship and keeping of the said castle with said lands and fishings, also an infeftment charter and precept of seasing given by the king's mother to James, Earl of Murray, his heirs and assignees, of a dwelling place and tenement of land in Elgin, "vpoun the northt syd of the commond passage thairof betuix the landis of vmquhill Robert Innes and Elizabeth Dowglas, Lady Pettindreych respectiue vpoun the est, the landis of wmquhill Rechart Cvmyng and wmquhill Jhone Cove respectiue on the vest and commond streit that passis to the cathedrall kirk off the said burght vpoun the southt and the landis callit Harweyshaucht vpoun the northt partis" in the queen's hands by reason of forfeiture. George, Earl of

Huntly, compears by Alexander Sym his procurator and James, E
Murray, being personally present with his procurator Mr. Robert S
the Lords of Council with consent of James, Earl of Murray, r
and annul the foresaid haill infeftments, charters etc. and decern the
to have been from the beginning and to be in all time coming of nc
force nor effect. The aforesaid lands "war adiugit to pertene to ou
soueranes darrest moder be ane pretendit dome and proces of for
led aganis the said wmq^{ll}. George, erle of Huntle, his memori
posterite in the parliament haldin at Edinburgh the tuenty aucht
May the zeir of God 1563 zeiris for certan allegeit crymes of tr
and lesemaiestie committit aganis our said soueranis darrest
decerning him to haif incurrit the said crymes and thairfor to ha
faltit his haill landis and heretages."]

July 27th.—Jhone Chalmer, flescher, was decernit to pay a
delyuer to Jennet Cuming, spous to Jhon Annand, provest of
xviij s. mony for the rest of the price of thre elnis of milk and
cleth sauld be hir to him.

July 30th.—Gilbert Recherdson becom actit to pay and dely
James Innes ten bollis sufficient beir with the charty and fodder
samyn.

August 1st.—Jhone Anderson, flescher, becom actit to pay to
Dowglas aucht bollis beir with the cheraty and fodder quhilkis fa
to pay to the said Sir Alex^{r}. four merkis for the pryce of ilk boll.

Actum extra judicium in presentia Johannis Annand preposi
de Elgin et testium subscriptorum viz. Alexandro Vinsister, mini
Elgin et Thoma Hay, burgensi ibidem vigesimo octavo mensis
anno domini millesimo quingentesimo septuagesimo tertio.

The quhilk day William Petirkin, vicar of Duple, renunciand h
jurisdictioun and privilege and submittand him to the jurisdictiou
provest and bailzeis of the bru^{t}. foirsaid in the caice eftir followin
awin fre moteif will becom actit to content and pay to Jhone Rob
sone to vmquhill Jhone Robertsone, sumtyme burges of Elgin, th
of fyfty sax schillingis vsuall mony of this realm with four foullis
the dait heirof and the nativity of our Lord callit Zoull day n
immediatlie following the dait heirof and that for the maill and
of the hous and deid drych quhilk wes occupeit be Androw
and . Petirkin his spous of the termes of Vitsonday and Mar

the zeir of God I$^{M.}$ V$^{C.}$ lxxi and threscoir tuelf zeiris quhilk hous and deid dreich vmquhill Bochan, tailzour, laborit and duellit into.

September 3rd.—Valter Innes, flescher, indwellar within the college of the cathedrall kirk of Murray renunciand his awin jurisdictioun and previlge and submittand him to the jurisdictioun and previlege of the provest and bailzeis of the bru^{t}. of Elgin, etc.

October 5th—Head Court.—Jhone Annand vas creatit provest for ane zeir as vse is. That ilk day Villiam Hay, Villiam Dowglas, vicar of Elgin and redar thair, James Thomson, minister of Birnay, vas creatit scrybis. Villiam Hay vas present and maid his ayth as saidis. Martein Sinclair was creat dempster quha maid his ayth.

Villiam Ferguson, leche in Elgin, be his avin propir confession was decernit to pay to Robert Schankis in Rothes xx s. mony for the pryce of certane wollin cleth quhilk the said W^{m}. maid galloun hose thairof.

Valter Hay, goldinsmyth, burges of Elgin, be his awin propir confessioun was decernit to pay to Master Henry Thorntoun seruand to the chantour of Murray xl s. mony within xv days as procuratour for Mr. Jhone Thorntoun, persone of Advy, for the said Valteris hows maill had in tak of the said Mr. John.

October 13th.—James Chalmer in Garmach becom actit to delyuer to Alex^{r}. Guthery twa barrallis salmon fische quhilkis failzeand to pay for the pryce thairof tuenty libs. vsuall mony.

October 15th.—The quhilk day the provest, bailzeis, counsall and maist part of the burgessis of the bru^{t}. hes consentit that Thomas Zowng, ane of the bailzeis of the bru^{t}., gyff assignatioun of ane auchten part of land pertenying to Rechard Robertson lyand within the feildis of Ouir Halchis, Thortourfeild, Heych Mering betuix the gettis quhilkis passis betuix the Gallow Hill and Palmerfuird at the north and south partis and the get that passis fra the said burgh to the landis of Main and Greschip of Elgin to James Pringill, burges.

Jhone Brabaner was creatit dempster of the bru^{t}.

November 2nd.—Jhone Smith was decernit to pay to W^{m}. Stewin ane boll sufficient victuall with the fodder and caff thairof.

November 4th.—Hector Angus becom actit to pay to Thomas Galt ten pundis as souerty for Robert Duncan in Garmach for the pryce of ane barrall of salmon fische.

December 14th.—William Aldcorn was decernit to pay to Thomas xvij s. iiij d. monye twa castyng coittis, twa pairis castyng hois, castyng sarkis and ane pair new schoin for the said Thomas fee buntais in seruing the said William ane zeir bypast.

1573-4.

February 8th.—James Gardin wes decernit to pay to Androw C skalbert makar, tuelff schillingis mony for the hyr of tua hors fur this brut. to Strethspey in carieing of wictuall fra Allestar Macneill to the said James hous and als fyve schillingis for graithing of an handit sword pertenand to the barroun of the bait of Spey, item schillingis mony for the hyr of tua hors tua tymes to Spey, ane fo and ane vther tyme for skaillis of scalbertis, item sax schillingis for heukis fie in harvest, item for dichting of ane tuahandit sword perte to the said James and binding of the weve thairof tua schillingis.

Katherein Straquhin, the relict of vmquhill Archebald Gaderar, tyme burges of Elgin, wes decernit to pay to James Pringill an victuall for supporting the said James in giving meit to Sir Th Robertson, cheplan, fra the xxv day of July in threscoir allevin zei the xxv day of July nixtocum.

William Ferguson, leitche in Elgin, wes decernit to pay to Re Robertsone fyfty seven s. sax d. mony for the rest of Inglis ping (?) ressauit be him to the Shereff of Murrayis wyff.

March 1st.—Catherein Ros the relict of umquhill John Thoms decernit to pay to William Zoung ane boll victuall conform to h for supporting the said William in giving mait to Sir Thomas Robe cheplane, fra the xxv day of July 1572 to the xxv day of July nixt t James Wat and Blais Alues war decernit to pay to Archibald A ane bol victuall for supporting the said Archibald in giffiing mait Thomas Robertsone, cheplane, sen the xxv day of July in lx tuelff to the xxv day of July nixt to cum.

March 7th.—Androw Cowe was decernit to pay to Johne salbet maker iij s. as souertie for Margaret Murdoch his guid doch heling of hir leg.

March 22nd.—William Jamesone, tailzour, becom actit to William Rechardsone, merchand, fourty s. betuix the dait heir Skirfurisday nixtocum.

1574.

April 14th.—The quhilk day Thomas Mill, burges of Elgin, becom actit souerty for Alex^r. Peterkin in Vnthank that he sall abstein fra carreing of ony fische fra the seis betuyx Spey and Findorn in all tymes cuming to the said bru^t. vnder the pain of fywe libs. monye to be payit ad vtilitatem reipublice.

May 24th.—Comperit Siris Villiam Clark, vicar of Doffous, and Alex^r. Sinclair of Eddinkeize and producit our souerane lord the kingis grace breiffe of Margaret Villiamson, dochter to vmquhill Sir Donald Villiamson, chaplen, as procuratoris for the said Margaret desyring the jugis be ane petitioun giffin in be tham to caus serue the said Margaret of all and haill ane pece of land lyand vpoun the sowth syd of the bru^t.

June 14th.—Alex^r. Sinclair, son to Alex^r. Sinclair, vicar of Iddinkeilze, was decernit to pay to James Howme, son to vmquhill Sir George Howme, chaplen, xv s. mony for seruice maid be him to the said Alex^r. in Cathanes fra the moneth of Junij last bypast to the feist of Candilmes next thairefter vizt. in the zeir of God 1573 zeiris.

June 18th.—Catherein Cowe, relict of vmquhill James Sotherland, vas decernit to pay to Johne Beig, tailzeour, ane rois nobill, twa angell nobillis, and twa pistolat crownis quhilkis the said John haid and gef in plege to the said Kathereine of tuelf pundis and ellewin penneis money, provyding the said Jhone pay the said xij pundis xi d. to the said Katherein at the resauing of the samyn peices of gold foirsaid.

July 12th.—The quhilk day Johne Watson, trooper, wes creat and sworn dempstar of the burrow court ay and quhill he be dischargit and wes sworn to the said office for the samyn space.

Comperit judicially Sir John Gibson, parson of Vnthank, as procurator for Margaret Williamson, naturall dochter to vmquhill Sir Donald Williamsoun, chaplen, and thair producit ane breiff of our souerane loird the kyngis grace chappell dewly execut and indorsit, purchessit at the said Margaretis instance for serving her as nerrest and lauchfull air to vmquhill Jhone Villiamson, her broder, of all and haill the landis and annwell rentis with the pertinentis quhilk hir said vmquhill broder deceissit last vestit and sesit thairinto within the bru^t. foirsaid at our said

souerane loirdis fayth and pace togidder with the said Marg petitioun requyring the provest and bailzeis present for the tym an personis of inquyst that the said Margaret mycht be seruit nerrest her broder. [One of the two pieces of land that belonged to her br "quha decessit in the zeir of God ane thowsand fyw hunderyth fyft aucht zeiris or thairby," had "the place callit the grey freris place eist." She was duly served heiress.]

July 26th.—The quhilk day James Lewingstoun son to vm Villiam Lewingstown was creatit ane of the dempstaris of the brut maid his ayth of fidelity for leill and trew seruice.

July 31st.—Androw Hay was decernit to pay to Sir James vicar of Alves, procurator and intrometter of the guidis and g vmquhill Villiam Marois in Petgownye the sowm of fourtein pund schillingis aucht penneis vsuall monye of this realme.

John Robertson was decernit to pay to James Pringall twa fir. v for supporting him in giffing meit to Sir Thomas Robertson, chapl the xxv day of July in lxxiij zeiris vnto this instant day.

August 23rd.—Comperit ane hon^{ll}. man Robert Innes of Inner and produceit ane obligatioun maid be him to Master James Thor chantour of Murray and parsoun of Langbryd quha hes lattin in f and heritage to the said Robert his airis and assignais his town and of Kirkhill of Langbryd being ane part of the patrimonye of th personage.

August 28th.—Gilbert Kemp confessit in presens of the bail he had causit James Gardin becom actit souerty for him in the s tendentis bukkis of Murray that he suld abstein fra com fornicatioun with Gelis Dauidson in all tymis cuming vndir the ten pundis mony to be payit ad pios vsus and beçaus he was responsall for the said James releif of the said sowm of monye he salhappin to committ fornicatioun with the said Jelis Dauids the said James be punesit thairfoir he hes puirly and simply resig renuncit fra him the lywrent of the haill ruid of land quhilkis he pr dwells into.

Curia capitalis burgi de Elgin tenta in pretorio burgi de El Joannem Annand prepositum dicti burgi Alexandrum Guthrie T Zoung ballivos dicti burgi quarto die mensis Octobris anno mi quingentesimo septuagesimo quarto sectis vocatis ac curia rite af

That day the provest and baillies of the brut. of Elgin, counsall and comunate of the samyn present for the tyme hes assignit and maid assignatioun of ane auchtane part of land of the said brut. quhairof ane part thairof lyis within the feild callit the Fluris quhilk pertenit to Walter Auldcorne, burges of the said brut. and resignit be him in the handis of Thomas Zoung, ane of the baillies of this brut. in fauoris of Sir Alexr. Dowglas.

November 22nd.—William Stewin, son to James Stewin, burges of Elgin, was fund convict for the breking of his ward in the passing furth of the tolbuyth and was decernit to haif tint his liberty and fredom of this burgh and to be denudit thairof as he had nevir bein maid burges thairof and to pay xl s. mony for his contemptioun.

Villiam Stewin was decernit to big the sowth end of the twa ruidis of land quhilk pertenit to vmquhill Androw Tailzour, masson, for halding furth of all travelleris in tym of pest.

November 29th.—James Peddir, son to vmquhill Sir Alexander Peddir, vicar of Vrray, producit ane charter of alienatioun maid be Thomas Kar upon ane ruid of land upon the north syd of the brut. betuix the commond venall that passis to the place of vmquhill the freris predicatoris of Elgin at the eist on the ane part, and the lands of James Gardin at the west extending lineallie fra the kingis grace hie get towart the south vnto the fut of the castell hill callit our Ladyhill at the north.

Actum extra judicium in presentia Magistri Alexi. Douglas prepositi de Elgin quarto die mensis Decembris anno Domini 1574 coram his testibus Thoma Hay, burgensi de Elgin et Joanne Dauidson burgensi de Dondei. The quhilk day Hector Angus, merchand, induellar in Elgin, of his awin fre motive will becom actit to content, pay and delyuer to Katherin Cowe the relict of vmquhill James Sutherland, alias Gereting, sumtyme burges of Elgin, ane barrell salmond fische full reid and sueit merchand wair betuix the dait heirof and the xx fourt day of Junij that nixt cumis within the town of Garmok and hevin of Spey quhilkis failzeand to content and pay for the pryce of the said barrell of salmond twenty markis vsuall monie of this realm within xv days nixt eftir the said twenty fourt day as pryce liquidat and convenit betuix thame vnder the pane of poinding of his guidis and geir or varding of his bodie within the tolbuith of this burgh at the will of the said Katherein ay and quhill the contentis heirof be compleitlie payt.

December 5th.—Alexander Geddie, tailzour in Elgin, wes dece amerciament for the vrangus trubling of this brut. in chasing Tl Gaderar, burges thair, with ane quhongar to his slaichter and thai remane within the tolbuith of this burgh fourtie aucht houris and committis siclyk in tymes cuming to be baneist this burgh.

John Beig, tailzour, wes decernit for the vrangus iniuring of R Robertsone in hervist to remane within the tolbuith fourtie aucht quhowsone he can be apprehendit and to pas on Sonday befc congregation befoir none and ask Richard Robertsone forgivnes f iniurious wordis givin be him to the said Rechard and gif he con sic in tymes cuming to be banisit of this town.

December 13th.—John Donaldsone, burges of Elgin, wes d and ordanit to pay to Sir Thomas Robertsone, chaplane thair, xxx four d. monie for xxv days meit and Thomas Mill, burges thair, xx for auchtein days meit within xv days quhilk thay suld have givin t befoir the xx fyft day of Julij last bypast conform to the ordina this brut.

Henry Froster, cordinar in Elgin, nocht comperand anent the of ane frensche blak kirtill vranguslie tane be him fra Cristen Rob induellar thair on flittin Fryday, and for dinging the said Cristen her awin hous the jugis decernit the said Henrie to delyver th Cristen the said kirtill and to remane within the tolbuith xlviij hou the dinging of hir.

Thomas Rechardson, burges of Elgin, wes decernit to pay t Patric Balfour master of the grammer scoill four s. mony in nan behalf of Alexander Boynd, burges thair, and Alexander Vi minister, xxxv s. monie within xv days in compleit payment of al bypast awand to him conform to thair rait quhilk thai ar addettit be ordinance of this burgh.

Stevin Cowpar wes decernit to pay to Alexr. Grant in Raffe monie for the rest of certane knappiscall schellis and Thomas Recha aucht s. for the rest of Poldavie canves and ane pair of gairdy sl his wyff.

Elspet Moir, spous to Johne Foirdyse, saidlar, renuncit hir cc infeftment of ane tenement or pece of land lyand within the imr of the college of the cathedrall kirk of Murraye betuix the cor vennell and the land of vmquhill Sir William Zoung, now perten

the airis of Androw Boynd, at the west and the land of Sanct Gelis cheplan fundit within the cathedrall kirk of Murraye at the est extending fra the hie get callit the Darne rod quhilk passis fra the town of Elgin to the said cathedrall kirk at the north to the landis and mans of the cheplane of Sanct Michaellis cheplanrie fundit within the said cathedrall kirk at the sowthe and als ane pece land contigue adiacent to the said tenement or pece land forsaid betuix the said tenement of land forsaid at the wast and the land of the said Sanct Gelis cheplane at the est extending fra the said Darne rod at the northt to the said mans of Sanct Michaeilis mans and cheplan afoir exprimit at the sowtht.

1574-5.

January 18th.—[Brief of date 9th January, 1574, at Dalkeith, to the provost and bailies of Elgin, from King James, with advice of James, Earl of Morton, Lord of Dalkeith, regent, anent the King having made John Douglas and John Cuming, y^r^. of Ernside, his bailies of the Earldom of Murray, and other lands within the Sheriffdoms of Elgin and Forres, Nairn and Inverness, pertaining in liferent conjunctly or terce to Dame Agnes Keith, now Countess of Argyll, relict of "vmquhill James, Erle of Murray, Lord Abernethie, that last decessit."]

John Macinra within the paroche of Dolles being persewit for the halding fra James Cuming in Glasgreine of ane dissone deirskynnis the jugis absoluit the said Johne be his aith.

Alexander Nicoll, spous to Bessie Robertsone in Elgin, wes decernit to pay to Johne Thomson seruand to Alexander Dunbar of Mochram sax schillingis aucht penneis monie for the pryce of ane javelling.

January 31st.—Margaret Watson, dochter to Johne Vatsone, cowper, wes decernit to pay sax schillingis monie for the pryce of ane sark quhilk Hector Angus geff hir to vesche and stowin in hir defalt and Thomas Mill to pay the just pryce of ane blak bonat tane be the said Thomas of the said Hectoris heid the space of thre zeiris bypast.

John Vmfray, burges of Elgin, wes decernit in amerciament for the vrangus cuming to Alexander Douglas, cordinaris house thair in the moneth of December last bypast under sylence of nicht and thair casting vranguslie ane coigfull of aill in the said Alexanderis face without ony

occasioun done to him be the said Alexander and thairfor to content pay to the said Alexander als mekle mony as the said Alexande decernit or salhappin to pay to the Shereff of Murray or his dep for the bluid giffing to the said Johne at said tyme beressoun occasioun of the bluid drawing of him movit of him selff as said

February 7th.—Achilles Greive wes decernit to delyuer to Thc Vmfray sax sufficient maskis of draff.

March 4th.—Katherein Ros, the relict of vmquhill Johne Thom burges of Elgin, wes decernit to keip neborat in schawing masleac the Schanehery hill and in the north syd on the landis lyand on the of the landis pertenand to Rechard Robertsone lyand in the said f or at the leist to keip skaithles the said Rechard of the eiting o cornis growand contigue on the syd of hir said landis.

Thomas Vmfray wes decernit to mak and set als sufficient wi treis in maner of ane hege and to big ane sufficient dyk of stack an as the samyn wes the tyme that he tuik doun the samyn without lic

1575.

April 11th.—The quhilk day James Cowe wes feit punlar for kc of the cornis of this brut. quhill the samyn be led in to the zairdis b provest, bailzeis, counsall and comunite of the samyn quha hes William Hay, elder, burges of Elgin, souertie and cationer for pay making to the said James of xxx tua s. monie for his fie for keip the said cornis, the ane half to be payt at Vitsonday and the uthe to be payt at the innyng of the saidis cornis.

May 16th.—Comperit George Douglas, naturall sone to vmq James Douglas, vicar of Kynneddour, and presentit oure soverand letteris of legittimatioun vnder his grace greit seill quhilk George ex the jugis that thay wald cais insert the samyn within the court bui thair clark of court and als ane of the officiaris of the brut. to pa the said clark to the mercat croce and thair to publice and proclar said George legittimatioun [which was accordingly done. A copy letters of legitimation, of date 30th March, 1575, is inserted in the book.]

October 11th.—It is statute and ordanit that all jugis within this brut. and burgessis of the samyn for the space of ane zeir sall entir to all courtis within the tolbuith of the said brut. at the hour of ten befoir none thai being within the said brut. vnder the pane of aucht schillingis vnlaw onforgivin.

It is statute and ordanit that na flescher within this brut. nor without this brut. in na tymes cuming sall pas vttowth this brut. on markat days to by na kynd of bestiall nor foullis wyld nor tem that ar cumand to the mercat to na uther persone bot samekle as servis for thair awin hous nor zeit to by na fleschis slane fra uther flescheris havand or bringing the samyn to the mercat vnder the pain of xx s. vnlaw the bestiall foullis and fleschis to be eschet quhow oft tymes the present statute be contravenit.

It is statute and ordanit for keiping of guid ordour within this burgh of all statutis maid herinto that the four bailzeis and officiaris keip the tua mercat days of this burgh weiklie for the space of ane zeir.

That na plak breid nether of breid of quhyt nor breid of aittis be baikin within this burgh for the space of ane zeir vnder the pane of delling, and that tua pennie breid be baikin sufficientlie of sufficient stuff of ten vnce wecht and the tua pennie leiff of breid of aittis of fourtein vnce wecht under the pane of delling the haill baitch, and that na personis baik kaiks within this burgh to sell outtowth thair housis vnder the pane of aucht schillingis vnlaw.

That the gallown of best aill be sauld for tua schillingis aucht penneis and the werst to be sauld for thre penneis as the cunstaris sall think expedient.

That na mennis schone be sauld derrar nor tua s. aucht penneis the pair and wemennis schone for xx penneis and bairnis schone of less pryce vnder the pane of aucht s. monie.

November 21st.—Barbara Catour in Elgin becom actit to delyver to Jhon Blincher, sumtym ane of the freris predicatouris in Elgin, ane timmer quart stop, ane pair pot bowlis and ane mowtche quhilk he gef hir in kepyng.

1576-7.

January 14th.—The burrow court of the burgh of Elgin haldin within the tolbuith of the samyn be Jhone Annand, provest. The quhilk day

James Stewin wes creat dempstar and suorn for the executioun o office.

February 3rd.—Jennet Zoung, relict of William Smyth, and the of the personis eftir following at the instance of Androw Dowgl Vnthank, chalmerlain to ane honorabill man, Archibald Dowgl Pettindreich and heritable possessour of the few landis quhilk perte the freris predicatouris of the burgh of Elgin, ves decernit to pay t said Androw the annuells of said landis for the zeiris of God 1575 a 1576 zeiris, vizet., Jennet Zoung twa s., Item Wm. Hay, zounger, fo Dauid McWilliam xij s., Jhone Vmfra four s., Blais Alues four s mans of Sanct Anna fundit within the cathedrall kirk of Murray sur occupeit be Sir Jhone Gibsoun and Sir Jhon Russall sax s. viij d Patre Andersoun four s. and the remanent personis of the said being varnit to haif payit the annuell rent quhilk thai and thai dccessouris var addetit in payment to the vmqll. freiris predicatou Elgin and comperand vizet. Thomas Zoung, Thomas Watsoun, R Tailzour, Thomas Vmfra, Alexr. Vinsister, zounger, Margaret Gl wrecht, Jhone Cuming, as was desyrit be the said Androw D conform to ane inventour of ane rentall ansuerit and said that t and salbe ordanit to pay the annuell rentis contenit in the said rent ane for thair awin partis provyding the said Androw Douglas pre wreit and vitnes the saidis freiris to haif bein in vse and possessi the payment thairof furth of the landis in ony tyme bypast.

1577.

July 29th.—Elspet Boyis, spous to George Skadkaill, cordi Elgin, confessit judicially that scho brak ward in passing furth tolbuyth of this brut. on the xv day of this instant moneth, scho arrest thairinto be the officiar of the said brut. at the bailzeis comn

1577-8.

February 7th.—Nicolas Vrwell, induellar in Elgin, becom actit to Sir Thomas Gil, chaplan, redar at the kirk of Abercherdour ten vsuall mony of this realme.

1578.

December 8th.—Nicolas Vrvell was decernit to pay to John Murray, milwart at the Sheriff mill, fyvetein schillingis for nocht keiping his promeis to vphald the cow with calf quhilk he sauld to the said Johne Murray.

Jannet Gowdy wes decernit to pay to Katherein Jak, sumtyme hir servand, fyvetein schillingis and tua pairis new schone quhilk scho promisit to the said Katherein for hir fie and buntay for hir service maid to hir be the space of ane zeir.

1578-9.

January 12th.—The quhilk day Villiam Dowglas, vicar of Elgin, vas creat ane of the clairkis and scrybis off court of the brut. of Elgin for the space of ane zeir and forder quhill he be dischargeit be provest and bailzeis of the said brut. for the tym quha maid his ayth of fidelitie for leill and trew vsing of the said office of the clairkship in all burrow courts of the said brut. as vse is.

January 26th.—Androw Mill wes decernit to pay to Symon Cramond, smyth in Elgin, the sowm of tuentie thre schillingis vsuall money of this realme restand awand be him to the said Symonis wyff for meit and drink coft be the said Androw fra hir.

February 16th.—William Auldcorn was decernit to pay to Alexander Stewart, walkar, ane zaikin almerie.

James Mechell, burges of Elgin, was decernit in amerciament in the wrangus saying judicially to the provest I kair nocht quhat ze can or may do vnto me and siclyk for the provoking Wm. Hardy, bailze, on the xxi day of this instant saying to him giff yow be better nor me suaill for your lyff, cum doun to your awin zaird end and awow the dinging of my vyf and thairfoir the rest of the jugis with awys of the maist part of the cunsall for sic causis and vtheris his demereittis bypast be his misordour within this burgh decernit the said James to haif tint his fredome and liberty of burgeschip of this brut. in all tymes cuming and to be arrestit within the tolbuith thair to remain ay and quhill he find caution.

March 4th.—It is statute that the pair of mennis schone be sa thre schillingis and the wemennis schone for tua schillingis and schone for xviij d. thay being of saxtein zeir auld and gif thai be age nor tuelf zeiris auld the schone for sic bairnis to be sauld for x

It is statute that na market be haldin upon Sonday within this except maittis and that only quhill half hour to ten vnder the p escheting of the gudis and geir sauld and sellen gif ony be appre

1580.

March 26th.—Dauid Wynsister judicialie resignit fra him a auchten part of land lyand within the greischip of the burgh of quhilk sumtyme pertenit to Johne Rotherfuird, burges, in the ha Thomas Zoung, ane of the bailzeis of the said burgh in fauc Alexander Grant, burges thair, vpoun ane reversioun of tuantie sch monie quhilk Thomas Zoung, bailzie forsaid geff assignatioun said half auchten part of land to the said Alexander Grant be deliv of ane officiaris wand as use is and that with consent of the p remanent bailzeis, counsall and communite present for the tyme quhilkis the said Alexander Grant payt and deliuerit instant schillingis monie to William Hay, court clark of the said burgh as siluer of the said half auchten part, vpoun the quhilkis the said Ale and Dauid tuik act of court.

The quhilk day Thomas Zoung, ane of the bailzeis of the bu Elgin, with consent of provest etc. gef assignatioun of tua auchter of land pertening to Alexander Wynsister, minister of Elgin, within the greschip of this brut. to Dauid Wynsister, burges th deliuerance of ane officiaris wand, quhilk Dauid Wynsister payt schillingis monie to William Hay, court clark for his entres siluer said tua auchten partis.

Johne Innes, spous to Bessie Hay in Elgin, is becom actit s that Thomas Laing in Correlwoid sall karrie na quhyt fyscheis burgh of Elgin to be sauld thair in na tymes to cum without lec grantit to him be the provest, bailzeis and counsall of the burgh under the paine of tuentie schillingis and escheting of the fysche.

George Wauis, burges of Elgin, was decernit to deliuer to William Tarras, naturall sone to Sir James Tarras, the press quhilk he had perteining to the said William.

The jugis ordanis Alexander Boynd, burges of Elgin, to intromit with the haill muk presentlie lyand be eist the south duir quhilk George Gray, maltman in Elgin, presentlie duellis into inrespect the said George wranguslie keist down ane mude gavell of ane hous pertening to the said Alexander and howkit his zaird quherwith he maid the said muk by his attollerance.

May 2nd.—That day Johne Innes, burges of Elgin, comperit judiciallie and thair producit and geff in ane wreitting to the provest, bailzeis and counsall of the burgh of Elgin humilie menand and schawand that contrar the lovabill lawis of the realm and vse of this burgh obseruit in tymes past he hed consentit to the making of Robert Innes of Innermarkie provest of this burgh quhilk now he knew to be contrar the commond weill of the said burgh desyring and craving therfor thair honouris pardoun and for the offensis foirsaid he wald submit him in thair willis quhilk being red the jugis, counsall and comburgessis ressauit the said Johne in thair willis quhairupoun the said Johne desyrit act of court.

Anthon Cowe, armorar, burges of Elgin, wes decernit to deliuer to Alexander Watsone in Ardgy ane buclair sword quhilk the said Alexander deliuerit to him to dycht.

Androw Cowe, scabbertmacker, burges of Elgin, wes decernit to deliuer to John Mawer in Vrquhart ane tua handit sword quhilk he ressauit fra the said Johne the space of tuentie zeiris syn to dycht and grayth.

May 8th.—Actum extra judicium coram his testibus domino Jo^e. Gibson, rectore de Vnthank, Androw Douglas in Vnthank et magistro Hectore Douglas, rectore de Ancrum (?). That day Alexander Duff of Torrisoill hes constitut Jhone Hamiltoun, servitour to George, Erle of Huntly, his procurator.

June 30th.—The provest, bailzeis and maist parte of the counsall off the burgh being convenit within the tolbuith of the said burgh for observing the kingis grace maiesteis lawes ordinancis and statuttis of this realme and also for observing the statutis and ordinancis off the cinodell assembleis maid and statut be the ministaris, eldaris and deaconis

off this realme in tymes bypast hes statut and ordanit that na pe within this burgh ather freman nor onfreman nor that vyssis in ony to cum sall pretend or caus mak ony fyris vpon the he calsay o burgh on Sanct Jhonis ewin or Sanct Peteris ewin in the monet Junij or ryd in disagysit maner within this burgh on Sanct Necola or Sanct Necolas ewin in the monethis of December in ony cuming vnder the pain of tinsall of thair fredome that ar burges and burgess vyffis and quhat personis thair ar noth fremen and fre vyffis that sal happin to contrawein this present statut and ordinan pay ten pundis and gif thair be nocht responsall of the said sow money to be put in vard within the tolbuith of the burgh forsaid f space of ane moneth without any releiff.

Siclyk it is statut that nedir freman nor onfreman within this in na tymes cuming sall beir or weir jak, pleit slewis, culvering, pistoll nor suord upon tham within the said burgh without sp leceans of the provest and bailzeis and maist part of the counsal

July 4th.—The burrow court of the burgh of Elgin haldin withi tolbuith of the samyn be Johne Annand, provest thairof, Wi Gibsoun etc. bailzeis. John Annand, provest of Elgin, vas decerni ordanit to content and pay to George Gray, maltman in Elgin, thre sufficient victuall within xv dayis as souerty and cautioner for Sir Wi Sutherland, person of Moy.

July 5th.—James Zoung, armourar in Elgin, wes decernit to p Anthon Cowe, burges, tuentie tua schillingis sax penneis for the pry sewin pair of sword gairdis.

July 18th.—The aikin tre won be Nicolas Vrvell in the schort within the propertie of the burgh of Elgin wes decernit to be arres behalf of the provest, bailzeis and counsall.

James Cuming, multarar at the auld miln of Elgin wes decer pay to Alexander Philp in Glasgrein fyve s. for the symmering of t to him in symmer last wes.

July 30th.—Cristen Forbes, spous to Johne Mow, fidler in Elg persewit be Thomas Smith, officiar for ane mask fatt.

James Zoung, armorar in Elgin, being persewit be Anthon Cow the nummer of saxtein sword bleddis is absolvit.

August 23rd.—John Innes, sumtym in Reidhall, now induell Elgin, as souertie for James Brown in Danskin wes decernit to p

Thomas Smyth, merchand burges of Elgin, ane barrell, half barrell and the third of half ane barrell sufficient salmon, full reid and sweit, merchand wair betuix the dait heirof and the feist of Mechaelmes that nixt cumis vnder the panis of poynding with ten schillingis for the expensis of the pley at the day foirsaid.

September 10th.—Actum extra judicium in presentia honorabilis viri Johannis Annand, prepositi burgi de Elgin coram testibus. The quhilk day Alexander Wynsister, minister, burges of Elgin, of his awin fre motive will becom actit to content, pay and deliuer to Mechaell Fuird, messinger, aucht bollis sufficient wictuall with the cherratie betuix the dait heirof and the feist of the purificatioun of Our Ladie callit Candilmes pay that nixt cumis vnder the panis of poynding. [Signed] Alex. Wynchester minister of Elgin.

October 3rd.—Curia Capitalis. Absentes: The Abbot of Kynloss, Alexander Gordoun of Baldorneych, Jhon Ros of Baliuat etc. John Annand was creatit provest. Alexander Douglas presentit leteris of exemptioun [of date 9th March, 1575] and the jugis with detfull reuerence admittit and ordanit the samyn to be registrat within our court bukis: REX understanding that oure lovitt Alexander Douglas is appoyntit redar at the kirk of Essil and seruis the cure thairof as alswa is agit and seiklie and can nocht thairfoir be absent fra the cuire of the said kirk to pas vpoun assyse or inquestis or zit to serue us in our oistis, raidis, weris and armeis except we wald altogidder lichtlie and neglect the cure of his office nather is it meit or convenient that ane man of his vocatione suld be fasched, trublit and cummerit with wardlie afferis quhairby he micht be withdrawin fra his cure and office, thairfoir we haiff grantit our speciall licience to the said Alex^{r}. Douglas to remane and byde at hame fra all oure oistis, raidis, armeis, weris, gadderingis, assemblies and wappinschavis etc.

It is statut that the galloun of best aill be sauld for threttie tua penneis and the warst for minor pryce at the command of the cunstaris.

It is statut that the plak breid of quhyt be baikin sufficient breid of saxtein vnce trois wecht the tua pennie breid effering thairto and the breid of aittis sauld for tua penneis be tuelf vnce wecht foirsaid and na breid of aittis to be baikin for plakis vnder the payne of escheting. That the best pair of menis schone be sauld for thre schillingis and wemennis schone for tua schillingis, bairnis schoin of saxtein zeris aigit

for auchtein penneis and of tuelf zeiris aige for xij penneis and qul refusis to do the samyn it salbe lesum to the byer to tak the schon lay doun the siluer to the sellar and gif any cordiner will not suff samyn to be done the byer requering witnes and plainting to the pı and bailzeis foirsaid thairupon the cordiner salbe callit and convict i unlaw of aucht schillingis for ilk tyme thay contravein the present st

It is statut for keiping of guid ordour of all statutis maid withi burt. that the four bailzeis and officiaris keip the tua mercat days w within this brut. Item that the moss be diwydit upoun Fryda fourtein day of October instant.

November 14th.—Jannet Thomson, relict of vmquhill William sumtym burges of Elgin, wes decernit and ordanit to content and p William Musset, leitche in Elgin, fourtie schillingis monie betuix th heirof and the tuentie day of the moneth of December nixt to cu the heling of Hierom Smythis fynger hir sone, quhilk wes cuttit fr be Alexander Thomsone, burges thair.

November 28th.—Anthon Cowe, skalbertmacker, burges of Elgi decernit to pay and deliuer to Agnes Allan ane new quhyt petticoi ane casting sark fra the said Anthonis wyffis bak in compleit paym hir fie and bountays promisit be thame to hir for the nursing of bairne.

October 1st.—[Head Court of the burgh of Elgin held in the ch the Parish Church by John Annand, provost, and William Hay, Th Young and William Gibson, bailies.]

1581.

June 12th.—Thomas Galt wes ordanit to pay to Sir Alex Sinclair, ane of the chaplanis of the cathedrall kirk of Murray pundis ten schillingis mony as thre zeiris annuall rent for the ru land callit Logeis land provyding the said Sir Alexander deliue sufficient acquittance to the said Thomas for the said sowm subs be the maist pairt of the chaplandis.

June 15th.—Katherein Cowie, relict of wmqll. James Sotherlan becom actit to pay to Johne Dowglas, prebendar of Russill, a Robert Hepburn, granatar of Spynie, factoris to Androw Do

donator to the escheit of the rest of the tackis of the teynd salmon of the thre coblis of Innerspey quhilk umquhill George Douglas, vicar of Aberchirdour, taxman thairof possessit during his lyftyme, the pryce of sax barrellis salmon fysche.

June 19th.—Sir James Tarras wes decernit to pay to Alexander Thomson, burges of Elgin, ten schillingis sax penneis for the annuall rent of the hous quhilk sumtym pertenit to Androw Andersoun, minister at Loth, now to the said James, lyand within the Gray freir wynd. Alexander Rob, maltman in Elgin, wes decernit to pay to Nicoll Boynd in Aikenheid tuelf schillingis four penneis for sax leittis of peittis and fyve firlottis malt sauld be the said Nicol to him. Anthon Cowe wes decernit to pay thre pundis money for tua hunderit leidis muk he promised to deliuer to William Hay betuix the loyn dykis of the wynd quhilkis passis fra the grammer scoill of the burgh of Elgin and the moss thairof.

July 3rd.—Alexander Forbes, chapman, hes catioun that he sall nocht oppin boyth within the burgh of Elgin nor by nor sell ony sort of stapill guid nor vse the libertie of ane freman. William Chalmer wes chargeit that he sall nocht sell na kynd of stapill guid sic as salt, hemp, lint, woll, seip nor na vther sort of merchandreis nor hald oppin buyth within the burgh of Elgin till he obtein his libertie of the said bru^t^. vnder the payne of escheting all his guidis and geir movabill.

The bailzeis ordanis the officiaris to pas to the personell presens of the haill personis within this burgh addetit in payment of the annuall rentis pertening to the chepland of Sanct Duthois chaplandrie fundat within the paroche kirk of Elgin and charge thame for to mak payment thairof to Johne Annand, sone to Johne Annand, provest of Elgin, quha is lauchfullie provydit to the said chaplandrie be his said fader patroun of the said chaplanrie lyk as he is to all emolumentis and proffeittis thairof be the demission of Sir Johne Gibsone last chapland thairof.

Patrik Rattray wes decernit to pay to Walter Innes, indwellar within the college of the cathedrall kirk of Murray saxtein pundis of dampnage and skayth through the insufficiencie of certane pundis vnzeon seid sauld be the said Patrik to him quhilk he promisit to be sufficient fresche seid and that the samyn seid com furth of Flanders sen Zoull last wes.

October 2nd.—Curia capitalis burgi de Elgin tenta infra chorum ecclesie parochialis dicti burgi per honorabiles viros Joannem Annand, prepositum, Thomam Zoung, Thomam Hay, Thomam Vmfra, balliuos.

James Cadell, merchand, indwellar in Elgin, with expres consent and assent of the provest, bailzeis, cunsall and haill comburgessis present for the tym, maid burges and freman of this brut. quha maid his ayth of fidelety that he sall nocht mak na vtlandis man to wit no laird nor barroun provest nor bailze of this brut. nor consent thairto in no tymis cuming and that he sall nocht resaue no vtheris mannis geir into his bwth nor his awin to sell thairinto and that he sall obtein ane ruid of land within this brut. heritabilly to him self within zeir and day vnder the pain of tinsall of his fredom and hes fundin George Vauis souerty and cationer that he sall fulfill the samyn and also to scot, lot, taxt, stent, valk, vard in all tymes cuming in absens of the said James for the quhilkis the said James hes payit instantly to the provest ten libs. money in part of payment of his expensis to pas to Edinbrugh as Commissionar of this burgh to the Parliament, convention of burrows and assembly of the ministers this instant moneth.

The borrow court of the burgh of Elgin haldin within the tolbuyth of the samyn be Johne Rotherfuird, Thomas Zoung and William Hay, bailzeis thairof, the fyft day of October the zeir of God I^{M}. V^{C}. fourscoir ane zeiris.

The quhilk day it is statute and ordanit be the provest, bailzeis and counsall of the burgh of Elgin that all maner of persone within the samyn cum euerie Sonday to the kirk befoir none and eftir at the houris appointit for prayer and preching befor the hyndmest bell be done and rung and thair remane quhill the preching and prayeris be done vnder the payne of tuelf penneis to be poyndit for ilk tyme thay ar absent fra the kirk.

It is statute and ordanit be the provest and bailzeis foirsaidis that the saidis bailzeis sall compeir be ten houris ilk court day befoir none or ony tua of thame at the leist as thai pleys aggre amangis thame selffis togidder with the clark, four officiaris and dempstar within the tolbuyth of the said burgh and thair to remane for administratioun of justice quhill tueff houris at none vnder the payne of aucht schillingis vnla to be poyndit sa oft as thai salhappin to be absent at the hour appointit fra ilk court and it salbe lesum to the bailzeis havand speciall occasioun quhairfoir he may nocht be present to place ane uther bailze to keip court for him in his place.

Item it is statut that the poynt of best aill be sauld for sax penneis

and the warst for fyve penneis as the bailzeis and cunstaris pleys command vnder the payne of deling thairof.

Item it is statute that the plak breid of quhyt be baikin sufficient breid of tuelf vnces trois weycht / the tua pennie breid of sex vnce weycht and the breid of aittis to be baikin for tua penneis of aucht vnces weycht / and na breid of aittis to be baikin for plakis vnder the payne of escheting and dailing of the haill breid quhilk thai haue for the tyme that thay ar fund contravenand this present statute.

Item that the best barkit hyd be sauld to the neboris burgessis and fremen of the burgh for xxx schillingis monie and the warst for tua markis vnder the payne of fourtie schillingis to be tayne of thair gudis and geir quha will nocht sell the barkit leddir for the pryces aboue writtin.

Item that the best pair of mennis schone be sauld for thrie schillingis and wemennis schone for tua schillingis / bairnis schone of saxtein zeiris of aige for auchtein penneis / and of tuelf zeiris aige for tuelf penneis / and quhaeuir refusis to do the samyn sall pay aucht schillingis for ilk tyme thai contravein this ordinance and that na persone fre nor onfre within this burgh karie ony barkit leddir vittouth the samyn to sell in mercattis or vtherways vnder the payne of eschetting thairof and breking of arreistment except that euerie barker at the raising of his leddyr fourtie aucht houris befoir his passing furth of this town with thair leddyr send the hand bell throch the town and charge all burgessis of this burgh to cum to thame and by samekill of thair leddyr of the townis pryce as will serue for thair awin turn allanerlie and to na vtheris.

Item it is statute and ordanit that the stane of scheip talloun be sauld for saxtein s. and the stane of nolt talloun for fourtein s. / and that the candilmakeris mak the candill thairof of ten inche and ane bar corne thiknes of talloun for tua penneis / the plak candill of tuelf inche lenth / and doubill als thik of talloun / and that no candill nor talloun be tayne nor careit furth of this burgh to sell under the payne of escheting the samyn quhilk is apprehendit gangand furth of this town and escheting the candill nocht sauld of the lenth and thiknes foirsaid.

Item that na persone within this burgh frie nor onfrie ressaue wictuallis within thair housis that salhappin to cum on day lycht to be sauld in the mercat / bot leiff the samyn to pass to the mercat quhill it be sauld / and that nane be sauld within houses vnder the payne of saxtein s. for ilk tyme that thai salhappin to contravein this statute and that na mercat be

maid thairupon befoir the hour of ten / and that nane be makaris of the pryces of wictuall sellen in the mercat bot fremen or thair wyffis and na stallinger to mak pryce thairof.

Item that na cadger salbe licient to sell or karie fysche to the mercat except the fyscheris themselffis thair wyffis and sic as ar licient be the provest or bailzeis and that na maner of persone hous ony fysche except the samyn cum to the town within nicht vnder the payne of escheting thairof and that na flescher nor vther persone cowp fysche to be sauld be thame mair nor staikis thair awin hous vnder the payne foirsaid.

Item it is statute and ordanit that all guidis and geir poyndit and distrenzeit be the tennor of the provest and bailzeis actis and decrettis of this burgh be prysit and rowpit at the mercat croce on the seuerall mercat days be the officiar quha poyndis the samyn conform to the tennour of the actis deliuerit to him and make pennie thairof / and gif ony officiar delays to put actis to executioun within xxiiij houris eftir the samyn be deliuerit to thame and complent maid upon thame for delaying to execute the samyn it salbe lesum to the bailze quhom to the complent is maid to command ane uther officiar to waird the officier delayer to put the saidis actis and decrettis to executioun within the tolbuyth of this burgh thairin to remane ay and quhill he caus ane uther officiar put the samyn to executioun upon his expensis and ilk persone that refusis to pas with the officiaris to comprys ony guidis or geir poyndit quhowsone thai salhappin to be chargit be ony officiar sall pay for thair disobeying of the charge aucht s. vnlaw the officiar complening thairupon and lauchfullie preving that thai disobeyt his charge foirsaid.

Item that the pek of hors corne be sauld be the stabilleris for tuelf penneis vnder the payne of aucht s. vnlaw.

Item it is statute and ordanit that na baxter baik ony breid within thair owins quhill thai ressaue thair peys and weychtis fra the provest and bailzeis for baiking thair breid of the wechtis conform to the statutis maid thairanent and ordanis all the baxteris and thair owins within this burgh be arreistit ay and quhill they cum and ressaue the saidis weychtis to the effect foirsaid.

Item that all flescheris in burgh or land present thair haill fleschis to the mercat haill oncuttit in the rig or ony vther part except ane cutt vpoun the schulder onspoilzeit or blawin with the skyn, talloun and hyd wanten the feitt thairof and that thai hald nane of thair fleschis within

thair buythis eftir the hour of nyne bot put the samyn to the mercat befoir the said hour be strekin / and that thai sell nane thairof vnto the tyme thair haill fleschis, skyn, talloun and hyd be sycht be the bailzeis and pryseris of flesche appointit to that effect vnder the payne of escheting the haill flesche, talloun, skyn and hyd nocht presentit as said is.

Item it is statut and ordanit for keiping of guid order of all the statuttis maid within this burgh that the four bailzeis and officiaris keip the tua mercat days ouklie within this burgh for the space of ane zeir or ony tua or ane of the saidis bailzeis with the four officiaris and pryseris of flesche as it sall pleys the bailzeis appoynt amangis thame selffis to that effect.

Item that na stallinger, man or woman, within this burgh brew or baik in ony tyme cuming heirefter quhill thai cum to the provest, bailzeis and counsall of this burgh / and set souertie that thai sall keip and obserue all the statutis maid within this burgh in all tymes coming and that thai sall set sourtie to pay threttein schillingis four penneis monie zeirlie for thair zeirlie libertie within this burgh.

It is statut and ordanit that na stallinger within this burgh sall haue libertie to brew or to vse ony vther siclyk tred of handling and deling within this burgh unto the tym it is knawin be the provest and bailzeis and counsall thairof that thai haue of frie guidis and geir perteining to thame selffis worth the sowm of tuentie pundis mony. Item that na stallinger browstar within this burgh sall to ony landwart persone vttouth the samyn ony draff in na tymes cuming vnder the payne of escheting the draff that is apprehendit passing furth of this town to ony landwart persone and depryving of thame quha sellis the draff fra brewing within this burgh whairupon the browstaris salbe haldin to mak thair ayth.

Item that na persone within this burgh, fre nor onfre, pretend in ony tyme cuming to cast faill, fewall or dowat within the moss betuix the burn of Tayok and the croft endis / or zeit hoik or fla the samyn in ony kynd sort in na tymes cuming vnder the payne of xl s.

Item that na persone of the counsall of this burgh speik or requeist in fauoris of ony persone that contravenis ony of the statutis maid within this burgh in na tymes cuming vnder the payne of depryving of the requestar of the counsall.

Item that na freman nor vnfreman or woman within this burgh

ressaue ony freman or vnfreman seruandis into ther housis to gif thame meit or drink in na tymes cuming betuix the houris of sax eftir none and sax in the morning vnder the payne of xl schillingis for the first tyme / four pundis for the secund tyme / and for the thred tyme the freman to tyn his fredom for the space of ane zeir and the vnfreman or woman to be dischargit of ony brewing for the space of ane zeir.

October 30th.—James Thomson [was served heir] to his fader who deit the . day of September the zeir of God I^{M}. V^{C}. fourtie sevin zeris in the feild of Pynkie in and to ane foirbuyth of land vpoun the south syd of the burgh betuix the get that passis to the freiris minoris utherwayis callit the Grey freiris at the eist part and the buyth of the airis of vmq^{ll}. Androw Froster at the west part.

November 20th.—William Chalmer wes decernit to pay to William Dollas the damnage and skaith quhilk he hes sustenit through the insufficiencie of ane half pund bowkaill seid quhilk the said William sauld to him and promisit to warrand the samyn to the said William Dollas sufficient bowkaill seid grew bot bastard and reid kaill.

December 11th.—Johne Anderson judiciallie renuncit his clame against W^{m}. Tarras, naturall sone to Sir James Tarras vicar of Narn.

1581-2.

25th January.—Jhone Annand, provest, and Villiam Gibson, burges, becom souerteis for Marjory Cuming, moder to the said William Gibson that scho in na times to cum sall ring bessingis, brassin nor irn morteris, nor na vther materiall veschill within this burgh upon Vphelly ewin and that scho sall cum to the preching or prayaris ilk Sonday quhen scho ma be lassart being within this brut. vnder the pain contenit in the actis of Parliament thairanent.

February 5th.—Statutum pro Sabbato. The quhilk day the provest, bailzeis and counsall and communite of the burgh of Elgin present for the tyme hes statut and ordanit that all persones inhabitantis within this burgh cum euerie Sonday to the kirk befoir the third or last bell be rung to prayer or preching befoir and eftir nowne and thair remane quhill the preching or prayaris be done and that na maner of person within this burgh pretend to vse tavernrie off meit and drink selling of ony sort of

merchandreis nor be fund wagand and going throch the gettis and streittis of this burgh or occupeit in ony kynd of pastym in tyme of preching and diwyn seruice vnder the payne of tua schillingis monie to be poyndit of all personis readiest guidis and geir quha ar fund contraveneris of this present statut to be furthcumand to the officiar executor of the present statute the uther half to be furthcumand ad pios usus.

Item it is statut and ordanit with consent of the provest, bailzeis, counsall and comunitie foirsaid that na maner of persone pretend in ony tyme cuming to big or sett on and byrne fyris in this town upon the kingis grace hie get thairof on Sanct Johne or Sanct Peteris ewin, mydsymer, ruid or Sanct Nicolas ewin or day, or ring bassings, bellis or ony vther kynd of bressin veschellis or mettalis vsit of auld on Vphellie evin nor pas in pilgramage to our Ladie of Grace to the wall callit Crystis vall in Strethdone nor to na vther pilgramage vnder the payne contenit in the actis of parliament maid thairanent and reputing and holding thame as manifest idolaters.

February 19th.—John Beig, tailzour in Elgin, wes ordanit to pay to William Jamesone, tailzour thair sax schillingis monie for the making of ane mandeill coit, item thre schillingis for the schewing of ane blak bombasie dowblet to Patrik Lesly at his command, Item for the schewing of ane mandeill to Patrik Dunbar of Blery thre s. Item fyve schillingis for the schewing of ane blak bombasie doublet to James Sutherland, broder to the laird of Duffous / item thre schillingis four penneis for ane sluch of clais to Johne Innes sumtym in Reidhall / Item three s. four d. for ane pair of breikis and tua pair of schankis to Robert Lesly in Findressy / Item fyve s. for ane doublet to Robert Lesly in the glen / Item four s. for ane sluch of claithis to William Pattoun Item for the schewing of ane doublet to Thomas Fraser at the Miln of Elgin thre schillingis / Item annent Mr. James Gardin xij d. / Item for the schewing of ane pair of schankis to the guidman of Galdwall aucht penneis / Item sax schillingis aucht penneis for the pair of schankis, tua pair of breikis and ane pair of buffingis to the Laird of Loquhaber / Item for ane pair of brekis to Wm. Zoung xij d. / Item for the peisyng of tua pair of schankis to George Grant, broder to the Laird of Ballindallach xij d. / Item for ane pair of breikis and schankis mending to the captain of the Egiptians aucht penneis. Item for ane sluch of clais to the provest ij schillingis / Item for ane pair of brekis and ane cluk to the suddene of

Murray xij penneis extending in the haill to the sowm of fourtie nyn schillingis aucht penneis quhilk sowm the said Johne wes ordanit to pay to the said William within xv days.

1582.

April 2nd.—*The feing of James Cowe, pundler, for keiping of the cornis of the crop 1582.* James Cowe judicialie acceptit the office of pundlarschip upon him and maid his faith to vse the said office lelelie and trewlie quhill the cornis of this present crop of fourscoir tua zeiris be wyn and innit. It is statut that na persone trubill or molest the pundlar be word or deid for poynding or taking of thair guidis for the skayth quhilk thair guidis salhappin to do in ony neboris cornis under the payne of tuentie schillingis.

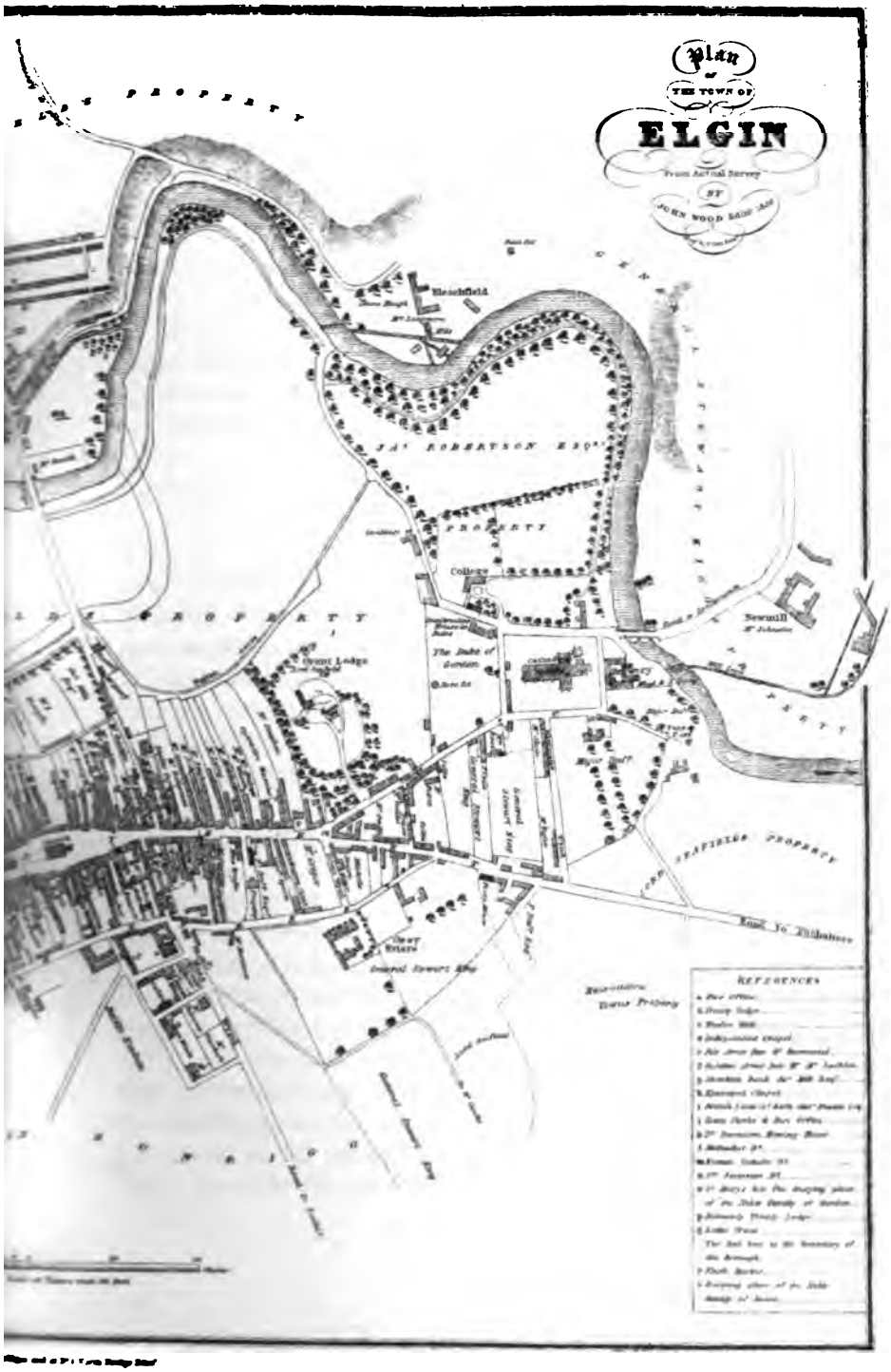
October 1st.—Curia capitalis tenta in choro ecclesie parochialis burgi de Elgin. Absentis: The Abbot of Kinloss, Alexander Gordon of Baldorny, Johne Ros of Ballivat, Margaret Glassinwrycht, Mr. Martein Logie, Our Ladie Chapland of Sanct Gelis kirk, the prior of Blak Freiris, the Abbot of Arbroth, the vicar pensionar of Elgin &c.

The quhilk day the bailzeis, counsall and comburgessis hes votit and electit Johne Annand, provest, Thomas Zoung, William Hay, William Hardie and William Gibsone, bailzeis; Thomas Hay, Alexander Annand, James Gutherie and Sir Johne Gibsone, clarkis; Charles Gray, Androw Layng, officiaris and Gilbert Gaderar, demstar, quha maid thair aithis of fidelitie for leill and trew vsing of thair offices for the space of ane zeir. Nomina communis consilii:—The provest, the four bailzeis, W^{m}. Gaderar, Thomas Wmfray, elder, Thomas Robertsone, Thomas Mill, Alex^{r}. Thomsone, Alex^{r}. Gutherie, Thomas Hay and Johne Rotherfuird. Lyneris:—William Auldcorn [and eight others] with ane of the bailzeis. Pryseris of flesche: Nicolas Vrvell [and seven others] with ony ane bailze and tua officiaris. Cunstaris: Blaes Alwes [and seven others].

It is statute that all personis cum euerie Sonday to the kirk befoir none and eftir none vnder the pane of tua s. for ilk tyme thai ar absent except ane lauchfull impediment.

It is statute that the galloun of aill be sauld for tua schillingis aucht penneis be all browstaris inhabitantis within the said burgh and that na

Published as the Act directs



Taylor & Henderson Lith Printers Aberdeen

browstar within this burgh refuis to sell the aill to all our souerane Lord the kingis grace legis salang as thai haue ony within thair hous except ane half galloun to be keipit to thair awin drink under the pane of deling the haill aill quhilk thai haue for the tyme quha contravenis this present statute.

Item it is statute and ordanit that na plak breid be baikin within this burgh for the space of ane zeir nether of quhyt nor aittis vnder the pain of deling thairof and siclyk that the breid of quhyt be baikin sufficient breid of nyn vnce trois wecht for tua penneis and lykways that the breid of aittis be baikin sufficient breid of tueff vnce wecht for tua penneis vnder the pain of deling of the haill breid quhilk thai haue for the tyme thai contravein this statut.

Item that the pek of hors corne be sauld be the stabilleris for fyvetein penneis and the stabiller tak bot ane penny for the stabill fie of ane hors be the space of xxiiij houris.

It is statut that na maner of persone fre nor onfre ressave ony wictuallis within thair housis quhilk salhappin to cum to this burgh ondaylicht to be sauld in the mercat bot that thai leiff the samyn victualis to pas to the mercat quhill the samyn be sauld thair and that nane be sauld in housis under the pain of saxtein schillingis.

Item that the best barkit hyd be sauld for threttie schillingis monie and the werst for tua markis.

Item that the best pair of mennis schone be sauld for thre schillingis and sax penneis and womenis schone for tua s. aucht d.

Na persone to cast fewall, faill or dowet within the moss of Elgin betuix the burne of Tayok and the croft endis or zeit hoik or fla the said mos.

Item that all guidis and geir poindit by order of the provest and bailzeis be rowpit at the mercat croce.

October 22nd.—Cristen Makzane wes decernit to pas to the stepill and thair to remane in ward for the space of tuentie four houris and to compeir on Sonday nixt within the paroche kirk of Elgin vpoun the stuill of repentence and thair ask Thomas Rechardsone forgiffnes and that for the wyll and vitious blasphematioun vsit be hir towartis the said Thomas without ony offence maid be him to hir bot for passing at the command of tua bailzeis in compane with thame and the cunstaris of Elgin through this town to cun and because the said Thomas said her

aill wes deir aneuch of ane plak the pynt callit him Reisky caril / scho wald leiff to sie his bairnis beg thair meit / he culd cun sowannis better nor aill fooll swoin carle that he wes /. Scho is dischargit fra brewing quhill scho obtenit new libertie fra the provest, bailzeis and counsall.

November 5th.—Marjorie Baxter wes dischargit fra brewing for ane zeir becaus scho confessit scho hed not of hir awin proper guidis and geir worth the sowm of tuentie pundis monie.

William Campbell [and four others] wer admittit common baxteris within this burgh for serving thairof for the space of ane zeir.

November 12th.—Clame of William Fargusone, chirurgian in Elgin, against John Anderson duelland in Morthlik for four libs. monie togidder with tua stanis of cheis and ane stane of butter quhilk the said John promised befoir for heling of him in the heid, face and uther parts of his body of many greitt vlcers. [The claim allowed.]

November 19th.—William Hay, baxter, wes ordanit to pay to his servand fourtein schillingis monie with ane pair of auld brekis and ane auld sark and failzeand of saidis auld brekis and sark sax schillingis aucht penneis monie in payment of his fie and buntaye.

November 26th.—Patrick Lesly, commendator of Lyndores [pursues] Walter Innes for the sowm of aucht pundis for his Witsonday and Martimes maill of the zaird of Pettindreich within Elgin, and siclyk Achilles Greiff for fourtie schillingis for the annuall of the landis adiacent to Barrald Colleis land alsua George Chaplein for tuentie sevin bollis tua firlottis victuall togidder with tuelf pultrie for the ferme pultrie of the landis of Estir Brownhillis for tua zeiris.

December 10th.—Alexander Boynd and James Douglas wer creat commissioners for poinding absents fra kirk with powar to poind and uptak fra ilk persone quha salhappin to be notit absent fra prayer or preching befoir or eftir none euerie Sonday the sowm of tua schillingis of thair reddiest guidis and geir to be furthcumand ad pios vsus.

Actioun persewit be Sir Johne Gibsone persone of Vnthank as chalmerlan to George, bischope of Murray, contrar James Rynd in Spynie for maillis of the brewland of Spynie and saxtein part of the town and landis of Spynie for cropis 1573 and 1574. The said James and his fader ves in vse of payment of fourtie s. zeirlie for the brewland and sax s. thre d. for ane-saxteint part of the town and landis of Spynie to the bischope of Murray.

1582-3.

January 7th.—Archibald Kemp in Brownsyd wes arreistit to have remanit within the queir of the paroche kirk of Elgin as tolbuith of the samyn for the tyme in defalt of ane sufficient tolbuith ay and quhill he had relevit William Auldcorne, burges of Elgin, of the sowm of tuentie thre libs. fyve schillingis at the handis of Thomas Robertsoun.

January 14th.—Jannet Andersone, spous to Alexander Smyth, flescher, wes decernit to pay to Elspet Kanzeoch nyn s. four d. for hir labour done to the said Jannet be the space of tuentie days in spynning at the quheill and for the pryce of ane pund of woll lent be the said Elspeth.

February 18th.—William Cuik wes decernit to deliuer to William Stewin tua Spainze beidis.

Comperit James Annand, burges of Elgin, and thair resignit in the handis of Thomas Zoung, ane of the bailzeis of the said burgh ane auchten part of land than perteining to the said James and sumtym perteining to Johne Innes alias Lang Johne, lyand within the greschip and territorie of the burgh of Elgin be staff and bastoun, as use is, in fauoris of Alexander Pringill, burges thair, reseruand the lyfrent thairof to Gelis Gardin, spous to the said John Innes for all the days of his lyftym, quhilk bailze conform to the said resignatioun maid in his handis as is aboue writtin with expres consent and assent of the provest, bailzeis, counsall and communitie of the said burgh present for the tyme gef assignatioun of the said auchten part of land to the said Alexander Pringill his airis and assignes be deliuerance of ane officiaris wand, as vse is, reservand as said is, for the quhilk the said Alexander Pringill instantlie payit and deliuerit tuenty schillingis monie for his entres siluer of the said auchten part of land quhilk wes putt in the cadget, vpoun the quhilkis the said Alexander desyrit act of court and instrument.

February 20th.—Thomas Smyth, merchand burges of Elgin, wes decernit to pay to William Innes, burges, the sowm of fourty aucht gudlingis Flanderis monie extending to the sowm of fourtie pundis Scottis as it cums to sax gudlingis for ilk pund greit, quhilk pund greit extendis to fyve libs. Scottis monie for the pryce of tua barrellis salmond fysche send be the said William Innes with him to Flanders.

The provest, bailzeis etc. hes ordanit that na owtlandis flescher hald buyth within this burgh in ony tyme to cum or slay ony flesche at the skemils or att ony uther part of this burgh except on the tua mercat dayis viz. Wedinsday and Settirday under the pain of xl s. Na maner of persone, chapman or merchand vnfrieman within the said burgh sall hald oppin buyth within the samyn and sell, by or cop ony kynd of merchandeis except as the lawis of the realm leivis, to wit, upon commond and public mercat days and the tua weiklie mercat dayis of this burgh.

March 4th.—George Skaidkaill, cordiner in Elgin, wes decernit and ordanit to cum to the provest of the burgh of Elgin betuix this and Sonday nixt and offer and present to the provest his quhynger and put the samyn in his will to be keipit be him or utherwayis to be affixit at his will and pleysour in sum public place and thair to remane perpetualie at the provestis pleysour. Siclyk the said George and Elspet Boynd his spous wes decernit and ordanit to compeir on Sonday nixt viz. the tent day of Marche instant within the paroche kirk of Elgin vpon the stuill of repentens befoir the minister in tyme of preching befoir none and thair in presens of God and the congregatioun present for the tyme ask Patrik Rattray and Jannet Fentoun his spous forgiffnes and that for the manising of the said Patrik with ane drawin quhynger in presens of the provest within the provestis clois upon the 28 day of Januar last bypast and also for the sindrie and diueris iniurius wordis and blasfimie giffin be the said George and his said spous to the said Patrik and his spous upon the xxix day of Januar forsaid vnder the pain of ten pundis monie to be payit to the commond guid of the said and tuentie pundis monie to be payit to the said Patrik within xv days.

March 11th.—William Hardie, souertie for Patrik Lesly, servitor to ane honorabill man Maister Thomas Gordoun, broder german to wmquhill ane nobill and potent lord wmquhill George, Erle of Huntlie, anent the allegit trubling of the town and svmbesetting William Gibson, ane of the bailzeis of the burgh.

March 23rd.—Achilles Greiff, Henry Stevinis wyff [and twenty two others] wer decernit in ane unlaw of 13s. 4d. for non-payment of thair stallinger siluer. Blais Alwes, Thomas Ga [and eight others], cordineris and baxteris, wer decernit in ane unlaw of 13s. 4d. for contravening the statutis of this burgh and breking an arrestment in working sen the last

day of Januar but licence grantit and giffin them to work be the provest, bailzeis and cousall. Elspet Peddir [and six others], stallingeris, wer chargit to remane in ward within the paroche kirke of Elgin ay and quhill thay and ilk ane of thame content and pay to Mr. James Garden, collector of the burgh of Elgin, 13s. 4d. for thair stallinger siluer. Thomas Air [and five other cordiners] wer chargit to remane in waird within the paroche kirk of Elgin ay and quhill souertie wer set be thame and ilk ane of thame for keiping of the statutis of this burgh. Richard Warden with consent of the provest, bailzeis, consall and comburgessis of the burgh of Elgin wes admittit and sworn burges and freman as burges vsis to be sworn the tyme thai ar admittit fremen and burgessis within the burrows of this realm quha payit thairfor tua markis monie togidder with 13s. 4d. for his stallinger siluer.

Marion Anderson, spous to Gilbert Gaderar, belman in Elgin, [claims] 5s. 4d. for meit and drink giffin to Isobell Zoung, dochter to vmquhill Sir William Zoung, sumtyme chapland within the cathederall kirk of Murray. [Claim allowed.]

Archibald Annand wes ordanit to be put in ward in the stepill of the paroche kirk of Elgin to remane till he mak compleit payment of the sowm of xiv merkis.

1583.

April 8th.—*The feing of James Cowe, pundlar, for keiping of the cornis of the crop and zeir of God 1583.* The quhilk day James Cowe, induellar in Elgin, judicialie acceptit the office of pundlerschip upon him quha maid his faith to vse the said office lelelie and trewlie quhill the cornis of this present crope of the zeir of God 1583 be schorne and innit.

April 15th.—Valter Hay, goldsmith, burges of Elgin, becom actit to deliuer to William Hay, burges thair in name and behalf of Maister George Hay, persone of Rathven, ane siluer saltfalt contenand the wecht of fyve vnces sufficientlie maid and wrocht betuix the dait of this present act and the feist of the Trinitie day nixtocum viz. xxvij day of May, quhilkis failzeand to pay to the said William Hay in name and behalf of the said Mr. George fourtie s. for ilk vnce wecht of the said fyve vncis siluer extending to the sowm of ten pundis usuall monie of Scotland, and William Hay to pay to the said Walter Hay fyve s. for the warkmanschip of ilk vnce of the saidis fyve vncis siluer.

April 29th.—The burrow court haldin within the queir of the paroche kirk. Margaret Sutherland, relict of vmquhill Thomas Myll, skynner, sumtyme burges of Elgin, now spous to Alexander Elleis, burges, and the said Alexander for his interes wes decernit to deliuer to William Myll, sone and air to the said vmquhill Thomas Myln and to Johne Myln burges thair, the said William Mylnis curator for his interes, all and sindrie the points of airedome guidis and geir perteining to the said William be the deceis of his said vmquhill fader viz. ane siluer pece, tuelf siluer spounis, ane airedome ox, ane pleuch, plewch yrons and zoikis of the samyn, ane brewing caldrown, the best pan, the best bressin pott, ane posnet pot, ane pair pott bowls, ane tangis, ane irn cruik, ane irn brander, ane irn ladill, ane speyt, ane irn rax, ane peuter plait, ane peuter trunschour, ane burdclaith or towall, ane seruiat, ane wesching towall or hand towall, ane chandler, ane gardein alias ane rowndell of bress, ane tyn quart stoup, ane tyn pynt stoup, ane cart, ane sled, ane pair of harrowis, ane spaid, ane schoill, ane mukfork, ane barrow, the best meit buird with the trest or furmes thairof, ane cussing, ane bassing, ane peppircornis, ane taiffill, ane baikbreid or baiking stooll, ane girdill, ane weschell buird, ane masking fatt, ane wortfatt, ane flesche fatt, ane wort-tub, ane sa, ane baby, ane aill stand, ane standen bed, ane feddir bed, ane langsaidill, ane pair of blankettis, ane pair of scheittis, ane pair of coddis, the best bed cowering, ane pair of heid scheittis, ane pair of curtingis, ane battering studdy, ane almyng tub, ane pair of woll ballancis, ane schaiping buird, ane press, ane meit almerie, ane chair, ane mekill kist, ane sword, ane jak, ane knappscull, ane javelling, ane quhinger with the furnisit scheitis.

May 10th.—Thomas Purs, wobstar in Elgin, becom actit to work and wyff to Patrik Rattray tuentie hand plaidis togidder with tua hunderith elnis quhyt cleyth of thre quarter breid quhan the samyn is waikit befor he wyff ony uther wark to ony uther persone except to the Magistrattis or heidmen of the burgh for the quhilk the said Patrik becom actit to pay to the said Thomas the sowm of fourtie pundis for the wywing of the saidis tuentie hand plaidis togidder with the sowm of ten pundis for the wywing of the tua hunderith elnis quhyt cleyth.

June 10th.—It is statut and ordanit for detfull obedience to be hed concerning the keiping of the kirk and serving of the word of God upon Sonday that ilk Sonday heireftir tua of the personis following viz.

Thomas Zoung etc. sall convein at sax houris in the morning and gif attendance to the mercat swa that the personis hawand geir to sell and thair guidis and geir sic as salhappin to be unsauld sal remoue themselffis with thair said guidis and geir unsauld furth of the mercat place and calsay befoir nyn houris befoir noyne vnder the payne of escheting of the samyn and alsua fra the begyning of the sermon to the end of the samyn that no tavern nor hostelar hous salbe haldin oppin for selling of meit and dreink sua that the haill inhabitantis of this burgh and utheris in the town for the tym sall noway abstract thame selffis fra the hering of the word, and gif ony of the persons appointit be found absent thai salbe poindit of tuentie s.

July 8th.—The quhilk day Cristen Kelly, induellar in Elgin, wes decernit and ordanit to entir hir selff in waird within the stepill of the paroche kirk of Elgin thairin to remane be the space of fourte aucht houris and thaireftir ay and quhill sche sett souertie to cum on Sonday nixt, viz., the fourtein day of July instant befoir the minister of Elgin in tyme of preiching befoir the pulpeit afoirnone and thair in presens of God and the congregatioun ask and craiff pardoun and forgiffnans of Johne Woid, burges thair, for the sklanderous and iniurius wordis giffin be her to him in calling him auld wouff facet theiff carle and worriar of scheip, quhilk wes giffin for dome.

July 11th.—Act of removing persewit be Katherene Gordoun, relict of umquhill Mr. Patrik Balfour, sumtyme minister at Urquhart contrar Alexander Stewart, merchand in Elgin. The said Alexander Stewart is ordanit to flit and remove fra the foirhous, stable etc.

1583-4.

January 27th.—George Chaplin claims thre half-disches ry maill and ane half-dische of ait maill borrowit be Johne Vmfray.

It is statute and ordanit that na persone within this burgh fre nor unfreman in ony tyme coming lay or mak ony middingis upon the bak passage of the burgh of Elgin quhilk dewydes the borrow ruids of the said burgh fra the croftis thairof and lykwayis that thai leid away all the middingis thairto presentlie thairupon within xv days, quhairbe all maner of persone in burgh or land may have clene, fair and fre passage to pass

thairthroch with kairtis, sleddis, bestiall and all uther maner of things but stope or impediment under the pane for fourtie s.

1584.

June 15th.—John Beig, tailzeour in Elgin, wes decernit to pay to James Annand, burges and goldsmith thair, threttie sax s. as pryce liquidat for ane pair of sufficient new pleit slevis.

Margaret Low, relict of William Reid, wes decernit to pay to Jannet Cuming, spous to Johne Annand of Muirestoun thre libs. monie as pryce for tua siluer sponis contening tua vnces wecht of siluer.

John Makzane, burges of Elgin, wes decernit to pay to John Woid thre libs. four s. for the earing and teiling of thre aickers and half aicker of land with his oxin and pleuch.

James Crombie in Spynie wes appointit as factor for Thomas Levingstoun of Hainyng, taxman of the teind scheavis of the parocheins of Elgin, Sanct Androwis kirk and Dyk, in tak and assedatioun of George, Bischop of Murray, for thre zeiris to cum.

The quhilk day comperit judicialie Patrik Rattray, burges of Elgin, and presentit and deliuerit the letteris of exemptioun underwrittin desyring the provest and bailzeis to caus the samyn be oppinlie red in jugement and admittit and registrat in borrow court buik of Elgin quhilk letteris the jugis foirsaidis with detfull reuerence ressauit and admittit and causit the samyn be red judicialie and registrat according to the said Patrickis desyr, off the quhilk letteris the tennour eftir followis:—

REX.

WE, be the tennour heirof with awyse of the lordis of Secreit Counsall haifing consideratioun of the inhabilitie and aige of our lovitt Patrik Rattray, burges in Elgin, wherbe he is noth able to cum to our oistis, reidis, weiris and assembles butt greitt danger of his lyff, thairfor we be thir presents gevis and grantis licience to the said Patrik to remane and abyd at hame fra all and sindry our oistis, reidis, weris, gadderingis and assembleis be see or land and fra all compering and passing upon ony assyse in actionis criminall or ciuill in justice courtis, justice airis, sheref courtis, borrow courtis or vtheris quhatsumeuir for serving of brevis, apyrysing of landis and vtheris exeming and dischairgeing him thairfra

during all the dayis of his lyftyme, and will and grantis that the said Patrik sall nocht be accusit nor callit therfor notwithstanding quhatsumeuir our actis or proclamationis maid in the contrar theranent and pains contenit thairin we dispens be thir presentis dischargeing heirfor all and sindry our justices, justice clerkis, thesauraris, aduocattis, provestis, bailzeis, eldermen and utheris ministeris and juges of our lawis quhatsumeuir of all calling, accusing, trubling, molesting or in ony wayis proceding aganis the said Patrik therfor discharge thame thairof and of thair offices in that parte.

Given under our signet and subscriuit with our hand at Striveling the threttene day of Maij 1584. Sic Subscribitur JAMES R., Montrois. Crawfurde.

June 22nd.—Emelie Sway, spous to Alexander Rob, maltman, wes decernit to mak count reckining and payment of ane thretty schilling pece to James Duff, zounger, within aucht dayis quhilk the said James laid to her in plege of the pryce of ane point of aill quhilk he coft fra the said Emelie.

July 6th.—John Petrie, alias Stowt, for calling Cristen Reid witche carling wes ordanit to compeir on Sonday within the paroche kirk of Elgin upon the stuill off repentance and thair confes his offence and ask hir forgiffingis under the paine of fyve pundis mony.

July 13th.—William Auldcorn, burges, wes decernit to deliuer to Jannet Cumming, spous to Johne Annand of Muirestoun ane pewtar plait within sax dayis quhilk scho geff to umquhill Issobell Watsone in plege of ane stane wecht quhilk scho borrowit fra the said Issobell Watsone.

Jannet Bonair, spous to Robert Keyth, wes decernit to deliuer to Margaret Sutherland, spous to Alexander Elleis, ane golden signet quhilk the said Margaret deliuerit to the said Jannet in plege of thre clowis of cotting zairne the space of fyve zeiris syn.

October 5th.—James Douglas wes electit provest for the space of ane zeir.

October 20th.—It is statute that quhatsumeuir persone sall iniure or maneis ather provest, bailze, clerk, officiar or ony uther member of court sall upon his knee ask forgiffens and to ly in the stocks for aucht days.

October 26th.—Thomas Stewart, tynkler in Elgin, wes ordanit to pay to Johne Wmfray, swordslypper in Elgin, tua markis for the pryce of ane sword quhilk he brak betuix his handis in Sanct Lowrens mercat of Forres.

Emelie Sway wes ordanit to pay to Johne Beig, tailzeour in Elgin, tua crownis of the sone quhilk scho ressauit fra the said Johne in plege of tuenty schillingis monie at pasche last wes.

October 28th.—The quhilk day the provest, bailzeis, counsall and comburgessis of the burgh of Elgin present for the tyme statute and ordanit that the haill nebours within this burgh baith fre and onfre in thair awin proper persone sall keip the portis of this burgh for owthalding of all personis cuming owt and fra suspect places of the plaig of pest and wanten testimonialls of thair clenes thairof under the pane of fourty schillingis monie and na servandis to be send to keip the portis except it be of aigit and seik persones.

November 23rd.—Alexander Annand wes ordanit to pay to Johne Beig, tailzour, ten s. for the making of ane pair of pleit sleiwis and siclyk to deliuer to the said Johne ane new knappiscall schell with ane new blak cowering thairof.

1584-5.

January 18th.—Thomas Stewart, kaird in Elgin, wes ordanit to pay to John Sheref, cordiner, tua schillingis sax penneis for the pryce of ane pair of new schone.

February 15th.—Isobell Cuming, spous to James Robertson, cowper in Elgin, wes decernit to pay to Martha Dunbar, dochter to Patrik Dunbar of Schanchar threttene s. four d. with ane pair of new schone and ane casting pair of slevis for hir fie and bountayis for hir service.

March 15th.—Complaint of Wm. Gaderar, procurator fischall: Vnto your honour, my lord provest and bailzeis of the burgh of Elgin humilie meins, I, William Gaderar, procurator fyschall of this burgh upon Maister Patrik Cuming, sub-dene of Murray, Archebald Grant in Balnatome, Huchon Ros, James Cuming in Barmukattie, William Cuming, servand to the auld laird of Ernsyd, Alexander Fraser, Henrie Kay, induellars in Lynkwoids, quha with thair compliss, bodin in feir of weir, with swordis, pistollis, jackis, knapscallis and utheris weirlyk wapins invasiue upon Sonday the last of Februar last bypast in tyme of preching of Godis word eftir none in manifest contempt of oure souerane lordis auctoritie and provest and bailzeis of this burgh for the tyme berand his hienes auctoritie the said provest with ane nummer of his counsale passand to

heir the word of God accompanit in sober maner nocht luiking for ony insurrectioun of ony partie the saidis persones with thair compliss accompaneit and armit in maner foirsaid maist erroniouslie and contemptuislie drew swordis and bendit pistollis to quhais invasioun I knaw noth and being commandit to pacifie thame selffis continuit in thair disobedience transgressing thairthrow our souerane lordis lawis and his progenitouris of guid memorie anent the quietnes of burrowis heirfor beseiks your honoris that puneisment and amendment may be had of the said persones etc. [Mr. Patrick Cuming and James Cuming are alone committed for trial, and are ordered to appear at the Head Court to be held on the day after Pasch.]

March 15th.—The provest, bailzeis, counsall and comburgessis of the burgh of Elgin for the bettir ordour tacking anent the owthalding of the plaig of pest furth of this burgh hes statut and ordanit that na maner of persone frie nor onfrie within this burgh in ony tyme cuming ressaue ony maner of persone of hie degre or law degre strayngeris or beggaris within thair housis to luig thame or giff thame meit or drink quhill thai cum first to the provest and bailzeis and mak the samyn first knawin to thame and seik and haue thair liciens thairto befoir thai gif thame entres in thair houses vnder the pain of depryving the freman that contraveinis this present statute of his fredome and burgeschip and baneisment of the stallingeris and unfremen and ordanis this statute to be publisit and proclamit at the marcat croce of this burgh and uther places neidfull and to mak intimatioun of the samyn personalie to ilk persone inhabitant of this burgh or be sownd of the hand bell and bellmanis mowth through the haill town.

1585.

May 10th.—William Hardie wes ordanit to deliuer to Thomas Galt ane arme schair and ane aquavitie pott quhilk the said William borrowit fra the said Thomas in the zeir of God threscoir auchteine zeiris.

May 17th.—The provest, bailzeis etc. hes ordanit that na maner of persone frie nor onfrie, zoung nor auld, within the said burgh pretend in ony tyme coming to entir within the kirkzaird of the paroche kirk of the said burgh to play at kylis, portbowlis or ony uther pastime or clym the kirk wallis with ledderis to herrie birdis nestis nor zeit cast stanes at the

kirk or vyndois thairof under the pain of xl s. and the faderis and parentis of the bairnis quha ar fund sua doand to be ansuerabill and poyndit for thair barnis as also the guidman of the hous for the gentillmen and barnis alandwart quhilkis are buirdit in thair houses.

June 14th.—Thomas Alwes, son to umquhill David Alwes in Dornach, wes decernit to pay to Blais Alwes threttene s. four d. for the pryce of tua buikis to wit ane first part buik and ane Dauid Lyndsay buik coft be the said Blais to the said Thomas the tyme he wes at the scole leiring.

June 21st.—Thomas Smyth, officiar, wes persewit be Johne Smyth his broder german for the wrangus breking of ane kist and taking ane charter furth thairof upon ane ruid of land lyand upon the north syd of the burgh of Elgin betuix the ruid of land sumtyme perteining to umquhill Androw Duncan at the eist part and the ruid of land perteining to Alexander Smyth ther broder at the west part extending linealie fra the kingis grace hie get of the said burgh at the sowth to the rod quhilk passis fra the eist part of the futt of the castell hill of the said burgh to our Ladie chappell sumtyme biggit upon the heid of the said hill at the north.

. . . . . .

1644.

Borrow Court of the brut. of Elgin haldin within the Tolbuithe theroi be Robert Hendrie, William Falconer tua of the baillies of the samyn the third day of Januar 1644, the suittis callit and the court laufully fensit as vse is.

January 16th.—Andrew Dick, merchand, burges of Elgin, wes decernit to mak payment to Margarat Burnet of fyve croce dollars at 53 s. the peece borrowit be him with 18 s. for ane pund of sugar.

January 30th.—In presence of Mr. Gawine Douglas of Morrestoun, provest of Elgin, Robert Hardie and William Falconer tuo of the baillies therof compearit Agnes Muresone in Elgin and becam willinglie actit in the borrowes court buiks of Elgin to enter and present herselff before the sessione of Elgin the secund day of Februar nixt within St. Gelis kirk and if she convene nocht bot beis fugitive she salbe heirefter be her awin consent haldin and reput as ane notorius witch.

February 14th.—*Act anent the officers attendance of the magistrats.* It is appoyntit that ane of the officers attend the provest and baillies to advertise them and convoy them to the court ilk court day under the payne of warding ilk ane of them toties quoties xxiiij hours and that they have their halberts with thame.

March 12th.—Servise vsit at the instance of Elspet and Margaret Mylls onlie lawfull bairnes of vmq^{ll}. Thomas Myll merchant burges of Dundie and servit airs portioners to wmq^{ll}. Thomas Mylne merchant burges of Elgin their guidsyre to two ruids of burrow land on the south side of the burgh.

1645.

January 22nd.—William Gadderar in Mostowie was decerned to make payment to George Smythe, merchant burges of Elgin, of the soume of 40d. money for ilk cartfull of twentie cartfulls of peits.

February 12th.—Francis Dunbar, saidler, to pay seven merks and Alexander Sinclair five merks as ther equall part of putting forthe of ane foote sojor to the publict service within fifteen dayes wnder the paine of poynding or warding.

March 19th.—Lilias Chalmer was decerned to delywer to James Walker ane wylliecote worthe thrie poundis four shillingis and that pertaining to the said James his wyffe coft be the said Lillias fra the Irishes in the tyme of the troubles.

George Bonyman, skinner, was decerned to restore to Thomas Warrand ane quart stoup with thrie new pannis qlk the said George coft frome the Irishes in tyme of the troubles.

John Chalmer (Toddie) was decerned to restore to the said Thomas ane two handed sword with ane halfe fyte plaid whilk the said Johne tooke out of the said Thomas his hous.

James Peddar, cordinar, was decerned to redelyver to Johne Stronache, flesher, the number of sex roche hyddes pertaining to the said Johne and coft be the said James in tyme of the troubles, for ewrie one of the saidis hydis the said James gaue 24s. and the said Johne is ordained to pay to the said James the saidis pryces and to receiwe his owne sex hydis.

April 2nd.—Alexander Watson, litster, to deliver to William Wilson, cordoner, ane halfe barkit hyd taken frae the said William in time of the plundering and to receive 12 s.

May 22nd.—William Robertson, litster, was decerned to redelywer to Mr. Johne Hay commissar of Murray all and haill the number of sex bookes all and haill worthe threttie ane merkes thre shillinges four pennies with ane register booke pertaining to the toune shippe he receiving frae the said Mr. Johne 36 s.

Thomas Warrand, merchand burges, was decerned to pay fyve libs. money for the blooding and dinging of his daughter.

May 30th.—Margaret Cay was decerned to redelyver to William Hay, wobster, ane tartane plaid worthe sex poundis qlk was taken away att the plundreing frae the said William and was in the possession of the said Margaret and the said William was ordained to give to the said Margaret ane halfe dollar therefor.

June 4th.—Elspet Portifield in Ardcannie was decerned to get back her new tartane plaid taken in time of troubles. William Hay wobster in Neither Manbeines to get back his gray plaid taken be the Irishes he giving to Christian Gordon ane halfe dollar.

William Robertson preceptor of Messindewe sues Robert Hardie for five bolls victual for his occupation of halfe ane quarter of Messindewe.

Court haldin within the tolbuith of Elgin be ane honnorable man viz. Gawin Douglas, provest, William Falconer, William Layng and Thomas Calder, baillies of the samyn the auchten day of Junij 1645. The said day Jean Bonyman, spouse to Allex^{r}. Leslie, merchand burges of Elgin, was decerned to mak payment to Johne Harvie, cordonar ther of the soum of threttie thrie shillinges four pennies money and that for ane yron pott borrowit be the said Jean frae the said Johne wpon the qlk he gawe his oathe.

Johne Alpin, armorer, Elgin, was wnlawit in 54s. for blood and blae giffing to Robert Smythe, baxter.

James Scott, cordonar, became actit to compeire before the presbitrie to ansuer for his adulterie wnder the pain of twentie poundis or else banishment.

Maines the kaird was decerned to pay four pounds 8s. 8d. for a yeirs maill of ane hous.

August 26th.—Elspet Vrvell, dauchter to wmq^{ll}. James Vrvell in

Garmoche, became actit to remove frome the toun and never to come to it again without a sufficient testimoniall wnder the paine of banishment.

October 1st.—The absentes frae the Head Court wnlawit ilk ane in 13s. 4d.

1646.

August 12th.—Christane Gordon in Elgin, Androw Hay, cordonar ther, Johne Stronache flesher ther, ilk ane of thame were decerned to make payment to Mr. James Strachan, schoolmaister ther, ilk ane of thaime of ther particular soumes wnderwritten viz. Christan Gordon of the soume of fyve merks money, Johne Stronache, flesher, tuo merkes and Androw Kay, cordonar, thrie merkes and that for the teaching of ther bairnes wherwpon he gaue his oathe.

September 30th.—Head Court. Twenty eight absent and all wnlawit in 20s. Non-entries: Sir Florence Winchester, wmq^{ll}. Alex^{r}. Gordon, Beldornie, umq^{ll}. George Sutherland, Lady Cheplan of Sainct Jeiles kirk, umq^{ll}. Alex^{r}. Dunbar of Cumnocke, umq^{ll}. Thomas Wmphray, cheplan of Sainct Duthockes, cheplan ruid, umq^{ll}. William Robertsone of Croft Croy, umq^{ll}. Alex^{r}. Murray, wiccar pension, umq^{ll}. Coxtone.

November 25th.—Androw Innes, gairdner in the laird of Pluskardens yaird, Jeane Bonyman, relict of wmq^{ll}. Allex^{r}. Leslie, burges of Elgin, Allex^{r}. Campbell ther, Allex^{r}. Murdoch, burges ther, and Robert Dunbar, ilk ane are decerned particularlie as wnderwritten to make payment to Christiane Kar, viz. the said Androw Innes of the teind of the said yaird, Jeane Bonyman of the teind of hir yaird wherin were ten stookes, Allex^{r}. Campbell of the teind of ten stookes yeirlie for the space of tua yeires on the Lady hill, Allex^{r}. Murdoche for the teind of ten threwes birre and Robert Dunbar of the teind of tuenty stookes bear qlk he had in his zaird.

1647.

April 14th.—Allex^{r}. Glasse, violer in Elgeine, became willinglie actit to behaue himselfe dewtifullie in the toune and not to be found playing nor waiging in the night tyme under the paine of fortie poundis money and banishment of his persone of the toune.

May 5th.—Mr. Johne Douglas of Moristoune offered for Kempsaiker 210 merks and the said Mr. Johne tuik instrument that non baid nor offered more. Thomas Calder offered 122 pounds for the Calfwaird.

Patrick Chalmer, skinner, burgis of Elgeine, is decerned to make restitutione to Robert Kynnaird, burgis of Elgeine, of ane purse of cloithe of gold with thrie peices of gold within delyvered be the said Robert to the said Patrick Chalmer in anno 1633 or thereby whereof the said Robert promised redelyverie or 100 merks money for the samyn togidder with the soume of 40 merks money or the equivalent thereof in pennie worthe and that as the pryce of ane new doublet of black silk camblet cutt out on blew Spanishe tafitie delyvered be the said Robert to the said Patrick wnder promise of contentment worthe the samyn qlk doublet he receivit in anno 1631 or therby togidder with ane pleat locke and key worth thrie poundis money coft and receivit be him frae the said Patrick in anno 1633.

July 14th.—John Hardie, burges of Elgin, wes decernit to mak payment to Jeane Bonyman, relict of wmq^{ll}. Alex^{r}. Leslie, merchand and burges ther, of the soume of tuell pennes money and that for ilk lead of thretteine score leads muck coft and receawit be him fra me and led with my owne hors and serwands to his land togidder with the soume of aught pennes money and that for ilk lead of fiftie thrie leads muck togidder with the soume of tuentie four shillings money and that for ilk ellne of sex ellnes halff ellnes small bread lining cloathe coft and receawit be him fra me to his contentment.

October 6th.—The lands wnderwrittin are fallin and becum in the tounes hands for not entrie of the righteous airis therof therto viz. the lands of umq^{ll}. Sir Florence Winchester, umq^{ll}. Alexander Gordone of Beldornie, Our Ladies Chapell and St. Jellis kirk, wmq^{ll}. Alexander Dunbar of Cumnok, the chaplain of St. Duthak, the lands of Blakfreirs, umq^{ll}. Alex^{r}. Bischop of Murray, the wicar pentione, wmq^{ll}. Robert Innes of Innermarkie, the Bayns grein, wmq^{ll}. Androw Waus, wmq^{ll}. Robert Sutherland, ruid chaplan, Mr. John Innes of Cokstowne etc. [75 in all.]

November 17th.—William Schipheard in Old Mills wes decernit to make payment to Robert Dunbar, burges, of the soume of fyue merks aucht shillings money and that for the lend of the prick mett of Elgin with fyfteine pecks of meall at aught merks the boll and that for the custome of fyf scoir tuell bolls meall.

November 24th.—Margaret Gordone, relict of wmq^{ll}. Alex^{r}. Innes of Balnamen wes decernit to mak payment to Alex^{r}. Andersone, meassone burges there of the soume of 50s. money with tua merks sex s. aught pennes for ane firlott eatt meall cropt 1647 and that as the rest of the pryce of ane lair stone laid on the said wmq^{ll}. Alex^{r}.

December 20th.—Disposition by James Sutherland, tutor of Duffus, in favour of Thomas Calder of Sheriffmylne of tuo auchten pairts of land with the new land, grass lands and pertinents therof, togidder also with the moss vaird perteining therto of breid threttie tuo speace and of lenth extending from St. Keathreine croft at the north to the burne of Tayok at the south.

December 22nd.—Issobell Pedder servitrix to John Winchester, tailzor, burges of Elgin, wes decernit to mak payment to Janet Grant spous to James Naughtie turner there of the soume of 30s. money and that for ane new sark giwin be me to hir to wash.

1648.

January 21st.—Jeane Bonyman, relict of wmq^{ll}. Alex^{r}. Leslie, merchand burges of Elgin, wes decernit to restoir and delyver to Agnes Troup, spous to Alex^{r}. Allane in Borrowbriges of ane mekill pan or four merks money for the samyn and that borrowit be the said Elspet Leslie her dochter from me.

March 8th.—William Andersone, eldest laufull sone to Johne Andersone, skinner, burges, was admittit burges as his father's eldest sone for payment makeing of fyve s. in ane purs and gaue his aithe as wse is. The said day Lauclane Innes, skinner in Elgin, wes receawit and admittit frieman and burges of the said bruch for payment makeing of fiftie merks money.

May 2nd.—Alex^{r}. Nicoll [and 17 other] cartcallers in Elgin were decernit to be poyndit for 20s. ilk persone and to be wardit till they sett caution for keeping of guid ordour anent the cutting of honest mens cornes and grass and that they put furthe hirds with ther horses and wther guids wnder the paine of ten libs. ilk ane.

May 3rd.—The persones underwrittin were decernit to make payment to Christan Kare, relict of wmq^{ll}. Mr. David Philp sumtyme minister at

Elgin:—James Faire at the West Port wes decernit to mak payment to her of 6s. 8d. for the wicaradge of ane calff cropt 1647 yeirs, Alex^r. Nucoll at the West Port of 6s. 8d. for ane calff with ten s. for ane fleis of woll with the wicarage of four lambs, George Steinsone, gairner in the Freirs for the keane of tuo kair 13s. 4d. and James Glas 6s. 8d. for the keane of ane calff.

June 28th.—The persones underwrittin were decernit to mak payment to Murdo McKenzie minister at Elgin: Walter Milne ten firlotts wictuall for the teind of tua aughten pairts of land perteining to William Innes in Barlowack cropt 1647 at eight merks 6s. 8d. the boll etc.

October 11th.—Andrew Clerk was decernit to pay to Christian Gordone, relict of Dr. Alex^r. Hardie, ane stone of butter or eight merks and that for cureing of the said Andrew his ledge.

October 25th.—James Chalmer, skinner, wes decernit to mak payment to the richt hon^ll. Thomas McKenzie of Pluscarden of the soume of 119 pounds 16s. as the rest of his ferm and dewttie for his occupatione of the lands of Lyperland.

1649.

January 18th.—The cordiners [seventeen in number] fined in all in 63 pounds 16s. 2d. for breach of statutis.

February 28th.—George Watsone, gouffer, burges of Elgin, wes decernit to mak payment to Alex^r. Geddes, skinner, burges ther, of four punds four s. money and that in contentatione of certaine golf clubs coft and receawit be him fra the sald Alexander. [The foregoing entry is thereafter deleted.]

April 11th.—Alexander Murdoch, skinner, was decernit to pay to Andrew Innes in the Colege for nine pynts acquawytie also to pay to Alexander Edwaird, tailzour, and Margaret Findlay his spouse for seven pynts acquawytie [price of the pint 25s.]

May 12th.—Walter Gilzeane, saidler, burges of Elgin, becam actit as cautioner souertie and law borrowis for George Watsone golf bal maker burges ther that John Duncan wreight ther, his wyfe, bairnes, familie, guidis and geir salbe harmles and skaithles of him and all that he may stop or let directlie or indirectlie wther wayes nor be ordour of law and justice wnder the paine of fyue hundreth pundis.

June 5th.—William Milne resigns his Spittall croft lying betuix the kings highway that passes fra the east poirt of the bruch to the bridge of Barmuckatie at the south, the channonrie crofts of the Cathederall kirk of Murray at the northñ, extending in lenthe fra the burne of Tayok at the east to the Lyper lands at the west in favour of Alex^{r}. Dunbar.

August 15th.—Andrew Ros, wobster, was decernit to mak payment to William Torrie of 15s. and that for certaine stones away takin be him out of the said William his correll.

October 19th.—The pitie customes rowped for 173 pounds 6s. 8d. for ane year.

December 12th.—Robert Smyth, flesher in Elgin, was decerned to pay to John Jacksone in Standing Stone 41s. borrowed be him.

William Robertsone, litster [and 11 others] summoned at the instance of Alexander Innes in Oldmylnes for abstractit multers. All were absoluit be their oathis. Several others were decerned to make payment to him viz. ane peck of ilk 17 pecks.

1650.

May 15th.—Anent the compleant givin in be Johne Alpin alias Grigor, armorer, burges of Elgin, againes George Alpin alias Gregor his sone for the away taking of ane assignatione out of the said Johnes kist wherin the said Georges name was onlie made vse of to his fathers behoue, the assignatione was of the soume of 200 merks restand be vmq^{ll}. Alex^{r}. Leslie to the said Johne and vpon the qlk assignatione their was sentence obtained in the said Georges name for the said soume againes Jeane Bonyman as intromissatrix with the said vmq^{ll}. Alex^{r}. his guids and geir, the said George Alpin compeired and confessit the grant of the assignatione and his intromission therwith and putting away of the same and therefor the baillies decernes the said George Alpin to make up the assignatione or to gif ane sufficient discharge to Bonyman on what he hes receavit fra her.

July 31st.—Andrew Hay, cordinar burges of Elgin, and Andrew Hay his sone becam actit as cautioner for James Hay, sone naturall to the said Andrew Hay, cordinar, that he shall serve in the kingdomes service for the toune of Elgin in this present levie haiffing payment as

uthers sogers within the said burghe shall receive wtherwayes the said Andrew Hay y^r^. shall goe on in service for him or pay ane hundreth punds money for the same. The said day Allex^r^. Man, merchand burges of Elgin, being accused be Mr. James Annand pro^r^. fishall of the said burgh for not entering his persone in ward being chargit thereto be Robert Smyth, officer, at command of George Cuming, baillie, for not payment making of his dues to the secund levie qlk disobedience (the said Allex^r^. denyand) wes verified be famous witnesses inrespect wherof the said Allex^r^. his fredome and burgeship wes takin from him and his buith dore ordained to be arrested and the rest of his punishment referred to the Counsell.

December 18th.—Helen Culback, spous to Robert Donaldsone, skiner in Elgin wes decernit to make payment to Johne Shearer servitor of allevin merks money with threttie shillings money for sex quarters gray cloath with tuell shillingis money for ane pair of new shoone with sex shillings aucht pennyes money for ane pair of casting hose and that for fies and bountayes restand be her to the said Johne for his service done to her fra Mertimes 1649 to Mertimes 1650.

1651.

March 21st.—In presence of Mr. John Douglas, prowest, George Cuming, Thomas Calder, Alex^r^. Dunbar, baillies, sitting in jugement for the tyme the persones after following goeing out as sogers for the toune in Col. Robert Dunbar appeirand of Westfeild his regiment were all received burgesses and fremen of the said burgh viz. Alex^r^. Watsone, skinner, John Shearer, Johne Petrie, James Murisone, Robt. Gilzeane, George Paull, wobster, Alex^r^. Midiltoun, Alex^r^. Gilzeane, skiner, Sergeant Johne Bain, Thomas Sibbald, Leonard Pedder, cordiner, Johne Mitchell, skinner, Dauid Mauer, skiner, Johne Broune, Andrew Angus, wobster, Johne Leslie, skiner, George Robertsone, skiner, Robert Watsone, flesher, Andrew Layng, cordinar, Andrew Fimister, cordiner, Alex^r^. Peterkin, sadler, Andrew Cuming y^r^. cordiner, Alex^r^. Rose, smyth, James Andersone, skinner, Johne Puggit, Ja^s^. Thomsone, smyth, William Chisholme and W^m^. Petrie quha gaue thair aithes as vse is.

April 16th.—Alexander Sutherland, flesher, wes decerned to mak payment to George Smyth, chalmerland to Sir Alex^r. Sutherland of Duffus, knicht, of ten libs. money as the pryce of ane boll wictuall for his occupatione of a parte of the lands of Vnthank crope 1649.

May 7th.—Capitaine George Smyth was decerned to make payment to George Watsone, golfballmaker, burges of Elgin be the judges modificatione of four merks money for ilk pick of fyve picks restand to him be the said Capitane George wherof he grantit the recept.

June 11th.—Johne Corbane, wobster, was decerned to wyve ane wob of elne bread, elne worth threttie s. the elne delyvered to him for that effect a year before be Dame Marie Innes, Ladie Fetterletter, and that before the aucht of Julij nixt or vtherwayes to pay the pryce forsaid.

1652.

April 21st.—Andrew Nukill in Kirktoune of St. Andrews his dittay: "Thou Andrew Nukill are accused and indyted on thy lyfe for the thiftuous stealling and concealling of ane pair of whyt plaidis worth fiftie four shillingis money and certane yron worke, the plaids off ane bed and the money and iron work out of ane lock fast kist by breaking vp the same in the house of Allex^r. Smyth, smyth, burges of Elgin, vpon the sexteine day of Apryll instant whilk thou cannot deny." The pannel confessed the away taking of the plaidis and iron work but denyed any money whereupon he was referred to ane assyse of fifteen persons who pronounced him guiltie and the judges [the provost and four bailies] ordained the pannell to be brought to the west end of the tolbuith and there to be whipt and from thence to the place called the Litill croce and there againe to be whipt with a dussone of stripes at each place and they ordaine the partie who wanted the goods to be restored to his owne.

May 19th.—John Gourlie hes gott the marcat day nixt viz. trinitie day to pay his 25 merks which should bein now payed.

May 26th.—The said day delyvred be Allex^r. Forythe, glaswright, to Serjant John Griffen ane pick, ane fyrlock and ane muscat with twa bandolirs left at his house by thrie sojors of Collonell Fitch his companie viz. Allex^r. Basnet, John Basnet and Robert Litlaw.

Borrow court of the burghe of Elgin haldin within the toune of Mostowie be Mr. John Douglas, provest, William Falconer and John Chalmer, baillies, the third day of Junij 1652. The said day it is enacted (the whole tennentis being present) that none of them shall sell ony peattis or firr out of the mosse of Mostowie to any persone whosoever except to the toune of Elgin under the paine of ten pundis and warding of their persones dureing the counsells pleasure. And siclyk it is enacted that whosoever of the saids tennentis shall reveale vpon strangers casting peattis and wining firr in the said moss of Mostowie and shall stopp them to their pouer shall have the third of the fyne.

June 14th.—Andrew Russell in Innerlochtie renunceand his ouen jurisdictione in that part submittit himself to the toune of Elgin, is become willinglie acted that he shall not be fund druckin within the toune of Elgin nor offend any magistrat therin at any tym hearafter vnder the paine of fortie pundis money.

. . . . .

1748.

April 13th.—Marywell grass set for three years' tack at £15 11s. Sc. yearly. The Horse Post Office set for £17 10s. Sc. for the year and the Shambles for £45 12s. Sc.

April 29th.—William Stephen, merchant, fined £24 Sc. for assaulting Alexander Gilzean, shoemaker, both being prisoners in the tolbooth, Alexander Gilzean fined £12 Sc. for assaulting William Stephen in the tolbooth.

May 26th.—The Trustees for the Encouragement of the Linen Manufactures in North Britain having offered prizes for certain kinds of coarse linen to be contended for at Elgin the magistrates appoint judges, all merchants in Elgin, who decide the chief prizes as follows: The web of 1200 wrought two's in a reed containing 1200 splits upon 40½ in. the whole whereof was filled with 1200 double threads measuring now 42¾ yards in length and 36 inches on the breadth and weighing 20½ lib. woved by Alex^{r}. McKenzie in the College of Elgin, was the best of that

kind. The narrow 1300 wrought by James Hutcheon, weaver in Elgin, was the best of that kind. The broad 1300 wrought by James Donald, weaver in Elgin, was the best of that kind, etc.

John McDonald, imprisoned for suspected theft of wine, tobacco, &c., escapes out of prison. He petitions the magistrates to be allowed to undergo voluntary banishment not to return to this kingdom. On 22nd July the magistrates consent and appoint his person to be delivered to Alexander Grant, volunteer in General Hacket's regiment, to be by him transplanted to Holland and regimented in the Dutch service.

October 1st.—The following are on the suit roll of the burgh :—Earl of Murray, Lord Braco, Laird of Grant, Archibald Dunbar of Duffus, John Innes of Dunkinty, William King of Newmiln, Alexander Calder, merchant, Laurence Sutherland of Greenhall, Captain Francis Stuart, Dr. David Brodie of Main, William Forsyth, glasier, Mr. Lachlan Shaw, minister, John Ogilvie, post, Robert Smith, glover, John Spens of Stankhouse, James Ogilvie of Pittensear, Sir Thomas Calder, &c.

November 28th.—Mr. John Cruden, teacher of youth in Elgin, took the oaths appointed by law as a teacher of youth.

1749.

May 25.—The six best pieces of cloth competing for prizes had to be certified as made of yarn spun from flax grown in the neighbourhood of Elgin. For another prize the flax was grown two miles west of Elgin viz. at Mostowie. For the other prizes the flax was stipulated to be "the growth of Scotland."

July 6th.—Burgh Court holden upon the lands of Mostowie. Sixty one burgesses and inhabitants were present. Each absent burgess was fined £5 Sc. Having perambulated the mosses they find several encroachments made by tenants of the Leggat, casting peats. These peats were cast into the pots. The tenants of Mostowie encroach by making corn lands upon the peat ground. Several are fined.

August 9th.—James Russel, glover, and two others are fined £5 Sc. each for keeping swine in the burgh in contempt of the town's statutes.

1750.

May 2nd.—Helen McKintosh confessed she was found in James Anderson's house alone in time of divine worship. Rather than stand a trial she agrees to voluntary banishment from the territories of the town of Elgin never to return.

1751.

January 7th.—Helen McKintosh (supra) has returned to the town and is suspected guilty of several malpractices. The magistrates appoint her to remain in prison till to-morrow betwixt ten and twelve in the forenoon and from thence to be carried to the west port of this burgh and from thence to be carried through the said town to the east port attended by the Hangman, drumbeating and officers in the usuall way and hereby banish her from the burgh in all time hereafter with certification if she return she will be branded on the cheek with the town's iron and publickly wheept by the hand of the hangman as oft as she shall return thereto. Her sister Janet is found attempting to steal peats and accepts of voluntary banishment. As she has no visible means of honestly subsisting the magistrates banish her furth of the burgh.

August 7th.—The magistrates offer a reward of 5s. Stg. to any person who shall discover or apprehend a person or persons breaking gardens and pulling and destroying pease and beans and digging up potatoes.

September 28th.—The Trustees for Encouraging the Spinning of Linen Yarn give prizes for coarse linen. Two webs of reed 1100. The one woven by John Walker in Newmiln is the best (breadth 38 length 42 weight 21 " 4). Two webs of narrow 1100. William Anderson's, Elgin, is the best (breadth 34 length 49 weight 21 " 10). Two webs of 1200. The best is William McKenzie's, son of Alexander McKenzie, in Elgin (breadth 38 length 43 weight 20 " 1). Two webs of reed 1300. John Ross', apprentice to the said Alex^r. McKenzie, is the best—owner of web, Archibald Dunbar of Duffus (breadth 38 length 42 weight 19 " 8). One web of 1400. James Hutcheson's in Elgin is the best (breadth 38

length 42 weight 19 " 1). One of 1500. Alex^r. McKenzie's in Elgin is the best (breadth 38 length 42¾ weight 18).

December 11th.—Colonel Burges' Regiment is presently in Elgin.

[In 1748, Col. Batteran's regiment was in Elgin, and a few months later (in November) General Barrel's.]

1752.

June 29th.—The magistrates fine William Asleman, carrier in Aberdeen, presently prisoner within the tolbooth for his prophaining the Lord's day by driving a cart and a horse through the High Street of the burgh of Elgin yesterday before divine service in the forenoon in the sum of £12 Sc. payable to the town's treasurer, to be applied to such pious uses as the magistrates shall direct.

July.—The following weavers compeared before the Magistrates and enacted that they shall weave linen cloth in terms of the several Acts of Parliament made thereanent and of the regulations made by the Trustees for improving Fisheries and Linen manufactured in Scotland: William Anderson, Pluscarden, Robert Anderson, Longbride, James Younie, Hattoun of Longbride, John Mitchel, James Donald, William Fraser, Alex^r. Meurson, John Gatherer, James Sutherland, John Greenlaw, Thomas Cook, Robert Gedlie, William Anderson, and Alex^r. Warrand, all in Elgin, also Alex^r. Boyne, Bishopmiln, James Allan there and Alex^r. Findlay, Elgin.

November 4th.—The fiscal complained upon William Roust, son to the deceased Alex^r. Roust, master of the Musick School, and twelve other boys for their profanation of the Lord's day and riotous and indecent behaviour in the church at several times and for their beating and blooding one another in the church and making noise and disturbance in time of divine worship. The parents who appeared were warned, the absents were fined £5 Sc. each.

November 7th.—John Munro, sheriff officer of the shire of Nairn, having brought John McDonald, sometime residenter in Elgin and servant to James Stephen, merchant, under a guard, presented to the magistrates a dead warrand signed by Lords Strachan and Drummore, to be imprisoned until 17th November, and then carried to the common

place of execution of the burgh and betwixt the hours of two and four in the afternoon of the 17th November to be hanged by the common hangman upon a gibbet until he be dead. He was put in the middle vault of the prison commonly called the Theif's Pitt and put in irons. The outer and inner doors of the vault were secured with two padlocks besides the other locks on said door. The keys are to be kept by the baillies three nights each in turn till the day of execution.

1753.

March 14th.—Christian Watson, spouse to James Russell, stole a white coloured napkin from Robert Anderson, writer, and was guilty of other petty thefts. She is remitted to prison till Friday when she is appointed to be put out of town by tuck of drum with the hangman at her back and a paper on her breast bearing the crime for which she is being banished the town of Elgin for life. If she return she is to be imprisoned and publickly wheeped every Friday or weekly mercate day for a month. If thereafter she return she is to be wheeped weekly in the same manner.

December 3rd.—Margaret Grant, relict of William Clark, hyrer, for frequenting the company of soldiers in their room at unseasonable hours is appointed to be drummed and banished the town for life.

1754.

June 1st.—Robert Leslie and Alexander Cook, merchants, are fined 10s. Stg. each for absenting themselves yesterday from the guard who was attending the execution of Janet Clerk.

Burgess Oath. I shall be a leall and true burgess to the Provest, Baillies, Councill and Community of this Burgh. I shall keep their Counsell secretly in as far as it shall please them to impart it to me. I shall give them my Counsell efalie when it shall please them to demand it. I shall purchase no Lordships in their contrary. I shall trafeck with no unfreeman's goods under colour of my own. I shall scott and lott, stent, watch and ward when required and shall doe the duty of a

faithfull burges in all other things according to my ability. So keep me God. [A copy of this oath is entered on the inside of the cover of the three Court Books, 1748-1754, 1765-1770, and 1796-1809, for convenience of reference.]

1755.

March 3rd.—*A whore drummed.* The fiscal complained upon Anna McRaa, late servant to Alex^r. Gray, litster, for disorderly behaviour and frequenting the company of soldiers at undue seasons, particularly yesterday morning that she was found in a soldier's room about six o'clock in the morning and she being examined upon the above facts acknowledged the same and that she was presently in no service. In respect whereof the Baillie [Laurence Sutherland] ordained her this afternoon at three o'clock to be brought from the tolbooth of Elgin and drummed to the west port of this burgh and hencefurth discharge her this burgh with certification that she shall be drummed so oft as she shall return thereto.

March 12th.—*A whore drumed.* Jean Thain presently imprisoned within this tolbooth for her disorderly behaviour and frequenting the company of soldiers at undue seasons to be drummed through this town this afternoon at three o'clock to the East Port and from henceforth banished this town and to be whiped so oft as she shall return.

March 15th.—*A whore drummed.* Anna Denoon, daughter of the deceased James Denoon, sometime corporal in Colonel Mordant's Regiment, confessed she was found in the room of John Herris, a soldier, below the bed with part of her cloaths off when the town's sergents came in quest of her. She is to be confined in the tolbooth untill Friday next betwixt the hours of twelve and one o'clock afternoon and then to be conducted by the town's officers and drum beating first to the west and then to the east port of this burgh and if she return she shall be whipt with the hand of the common hangman and drumed publickly through the streets so oft as she shall return.

April 9th.—The vault under the little kirk set for £5 Sc.

April 23rd.—The vault under the tolbooth set for £3 Sc. The quarrels at Lossiemouth set for £6 Sc., the magistrates reserving the use of what stones they require for the public use.

June 18th.—John Marshall, weaver in the College of Elgin, and Alexander Falconer, weaver in Elgin, enacted themselves that they shall weave linen cloath and diaper sufficiently and shall observe the haill directions given by the Hon. the Trustees for improving the Fisherys and Linnen Manufactorys in Scotland under the several penaltys contained in the severall Acts of Parliament made thereanent.

August 9th.—Janet Baird, relict of William Hay, sometime in Dunkinty, is expelled the burgh for keeping a disorderly house.

Anna Bannerman, daughter of John Bannerman, shoemaker, within this burgh and Anna Gordon, presently prisoners within the tolbooth "for unchast and indescent behaviour" to leave this burgh and never to return under penalty of £5 and they submit to be whipt if they return.

August 20th.—William Russell, fiscall of court, complained upon George Miln, John Cormie, Alexr. Lee, James Watson, Thomas Watson, Robert Cuthbert, John Grant, Robert Geddes, barbers and peruke makers in Elgin, for their sheaving and dressing wiggs upon the Lord's day and craved they might be fined in terms of the severall laws and Acts of Parliament made anent Saboth breakers and that they might be incarcerated until they find caution for their future good behaviour in terms of law. Some of the accused appear, the absents are fined £5 Sc. Robert Geddes not appearing is to be apprehended and incarcerat untill he appear to answer the complaint. The said day Robert Geddes being apprehended and interrogated upon the complaint acknowledges that sometymes he has been called upon the Lord's day to the houses of Sir Hary Innes of Innes, Willliam King of Newmiln, Sir Robert Innes of Ortown, Alexander Petrie and Mrs. Russell, vintners in Elgin, to shave strangers who happened to be there accidentally on the Lord's day and that he has gone and shaved them and dressed their wiggs and acknowledges that he has shaved some of the inhabitants of the burgh of Elgin his customers and dressed their wigs upon the Lord's day when they had occasion to be from home on Saturday or late in a tavern on Saturday's night and that sometymes he has carried some of his customers' wiggs home on Saboth days' morning when he was busy shaveing his customers Saturday night and when the customers neglected to send for them and declares he cannot write. The bailies find he has been guilty of a profanation of the Saboth and therefor fine him in ten pound Scotts and appoints him to remain in prison untill he find caution for payment and for good behaviour in tyme comeing for two years.

September 7th.—Michaelmas Head Court. Lands in non-entry: William Burges' 18-part, George Chalmers' 18-part, the lands of Pittensear and James Ogilvie's 18 parts.

October 30th.—Head Court called to consider a submission proposed to be entered into with Lord Bracco and Mr. Duff in Old Milns with respect to the proces of abstractions at Lord Bracco and Mrs. Duff's instance against several of the inhabitants and the proces of declarator at the Town's instance against Lord Bracco. The meeting agreed to arbitration.

1756.

April 14th.—The town's four butts and old yeards set for £8 14s. yearly for three years. The Lyperland set for £109 Sc. besides publick burdens, said £109 Sc. to be free rent payable to the Hospital. The following set for the sums specified in every case besides publick burdens: Pittulie's Hospital croft £34 Sc., the Shooting Acres £55 Sc., the Toun's Hospital Croft £18 14s. Sc., Goose Crook £16 13s. 4d. Sc., the School Acre, £24 10s. Sc., and the town's Eighteen part £27 3s. 4d. Sc. On 26th March the quarries at Lossiemouth, the loft above the Hospital, the vaults under the Little Church and Tolbooth and the Horse Post Office exposed to roup but none offered. The Shambles meall set for £35 16s. Sc. The Horse Post Office thereafter set for £16 Sc.

September.—The Head Court fine each absent freeholder £5 Sc.

On the suit roll appear Lord Braco, James Innes, surgeon, Dr. David Brodie of Main, etc.

October 30th.—The custom arising from malt brought from the country set for £8 stg.

1757.

March 9th.—The Marywell grass let for three years at £15 13s. Sc.

September.—On the suit roll appear Archibald Dunbar of Newton, William King of Newmiln, John Spens of Stankhouse, Archibald Duff of Drummuir, etc.

December 6th.—Compeared before two of the baillies of Elgin, Mr. James Cruden, principal master of the Musick School of Elgin,

and qualified himself to the Government by taking and swearing the oaths of allegeance and abjuration and subscribing the same with the Assurance.

1758.

March 29th.—The Vault under the Little Church set for £5 Sc.

The sum of £2 12s. Sc. offered for the Gallowhill grass.

Dougal Leaich, soldier in Capt. Gaubries' Company of the Regiment commanded by Colonel Parslo to be tried for rape.

1759.

January 31st.—Margaret Findlay and Anne Torrie ordained to remain in prison till Saturday next and until they find caution under the penalty of 100 merks Sc. each to leave this burgh and liberties thereof and not to return in any time hereafter. They were guilty of profanation of the Lord's day by drinking in the house of David Demster upon Sunday se' night. They drank part of three bottles of ale with a soldier James Symers. They said that David Demster's wife was always in company with them. The soldier was courting Ann Torrie to be his wife. One of the town's officers, Andrew Hosack, came in and quarrelled them. David Demster said they were drinking a civil bottle of ale. Andrew Hosack deponed that he was informed that both Ann Torrie and Margaret Findlay were of a slight behaviour. David Demster is ordained to be confined in the prison of Elgin until eight at night and until he find caution under the penalty of £100 Sc. for his good behaviour for twelve months.

February 3rd.—George Allan, hyrer in Elgin, becomes caution for David Demster. Annie Torrie was liberate in respect she is married to James Symers. Margaret Findlay finding caution to leave the burgh is set at liberty.

March 31st.—Compeared Andrew Brander and became cautioner for Lachlan Dunbar, weaver and linen manufacturer in Elgin, that he shall weave linen cloth in terms of the severall statutes made thereanent under the penalty of five pounds Sterling. In like manner William Proctor

becomes cautioner for Daniel Bain, weaver and linen manufacturer in Elgin. Also Donald Bain becomes cautioner for James Anderson, weaver.

September 11th.—Head Court of the burgh holden by Provest Robertson, John Laing, John Duff and Robert Leslie, baillies. The said day being the second Tuesday of September the present condition and circumstances of this burgh and of the common good thereof and the Magistrates' management of the same and the haill office bearers' books &c. accompts for the last year being exposed twenty days preceeding this date were this day read over for the satisfaction of burgeses and inhabitants and none appeared to object against them. (Signed) Ja. Robertson.

December 1st.—The baillies sign licenses to retail ale etc. in favour of William Williamson, glover, James Shaw, maltman, and John Baron, shoemaker, till the 25th October next.

1760.

February 2nd.—The fiscall complained of William Stewart, son to William Stewart, hyrer in Elgin, for a relapse in fornication committed by him on Elizabeth Dunbar and therefore craved that the said William Stewart might be fyned in terms of law and committed to prison till payment. The said William Stewart being apprehended and brought before the magistrates acknowledged that he had two children got in fornication upon the said Elizabeth Dunbar and was fyned for the first transgression by the magistrates and paid the same. (Signed) Wm. Stewart. The baillies find the complaint proven by William Stewart's acknowledgement and therefore fynes him in twenty pounds Sc. to be applyed in terms of law and appoints him to remain in prison till payment. The said day William Stewart having paid the fine was liberate.

April 17th.—Head Court. The provost represented to the meeting that the Councill had about three years ago given the inhabitants an attolerance to plant potatoes in the muir which belongs to the town besouth the Cattails or Mosswards that after the Trades had been at a considerable expense in enclosing a part of the muir for preserving their potatoes the Earle of Fyfe had complained of this Inclosure as an incroachment on his right as having a servitude on the whole muir and

had procured ane interdict first from the Sherrif and afterwards from the Court of Session by which the inhabitants were stopped from planting any more potatoes in that part of the muir; that the inhabitants had been complaining from time to time of the incroachments made by the country heritors upon the town's commontys and particularly on this muir while the town had little or no benefit by it, that the muir was so barren and of so little value in itself that it would not bear the expence of a process of division and that the town had already been put to a greater expence in preserving their interest in it than it was worth, that the Incorporated Trades had offered to take a feu of that part of the muir which they had lately inclosed and had offered 40s. stg. yearly feu-duty therefore, but as the Council could not grant such feu without the consent of the Earle of Fyfe and Dr. David Brodie of Main, they had agreed to give them a share of the muir, which was accepted on condition of absolute warrandice. This the Head Court now sanction, also they sanction the grant to the Incorporated Trades. There were present at said Head Court 134 members, of whom Nos. 1-42 were heritors and burgesses; 43-51 smiths; 52-64 glovers; 65-80 taylors; 81-104 weavers; 105-117 shoemakers and 118-134 wrights. [Seven were heritors of eighteen parts.]

1761.

June 3rd.—David Sim, sheriff officer in Elgin, being convict of keeping a disorderly house, was upon his own application banished the burgh and libertys thereof for ever with certification that if he return he is to be putt upon the pillory and drumed through the town so oft as he shall return.

September 10th.—Barbara Reid for whorish practices expelled the burgh, and if she return to be whiped by the hangman or drumed.

1762.

July 31st.—Janet Laing, presently prisoner in the tolbooth of Elgin, and who was ordained by the Lords of Justiciary at the last Circuit of Inverness to be execute at Elgin for the crime of murder, she having now received a pardon is liberated.

September 1st.—James Allan, procurator fiscall, complains upon John Cummine in Mostowie and twenty six others for casting and winning peats and fir in the Moss of Mostowie and selling the same through the country and for takeing in and improveing the land and converting the same into corn land, etc., and had been guilty of aforesaid offences repeated times within these seven years past. Some confess they sold peats, took middeneard (or moss earth) out of the moss and mixed it with their dung, planted potatoes in the moss and sold peats to people in the country both in liets and loads.

October 22nd.—The vaults under the tolbooth to be set: (1) the vault at the wester end entered at £3 Sc., (2) the westmost vault on the north side of the tolbooth entered at 4s. stg.

1764.

April 23rd.—Mortification of a half quarter or aughteen part of the lands of Over Barflathills and half quarter or aughteen part of the haugh thereof pertaining to Alexander Gordon of Cairnfield lying within the barony of Kilmalimnock to Rev. Francis Chalmers, Episcopal minister, Elgin, and his successors.

May 21st.—John Hardie, one of the town's officers and keeper of the gaol, to be incarcerate for allowing Thomas Smith, prisoner, to escape, and his coat and halbard to be taken from him.

July 7th.—Andrew Russell in Mostowie and eighteen others fined in £8 Sc. each and confined in prison till payment be made for destroying the moss, building houses on it, enclosing parts of it and planting potatoes and other roots and vegetables in it, etc.

July 31st.—The magistrates set at liberty the tenants of Mostowie who were incarcerate, being served with a copy of suspension and charge to set them at liberty.

1765.

April 3rd.—The seats in the new loft of the church rouped for 18s. 6d., 19s., etc., each a year.

July 11th.—Kenneth Leal [a name that figures in the after history of the county],* late farmer in Crookmuir, now in Cross of Bishopmiln, complains on James Mellis, merchant, as to a bill. Mellis is fined £10 stg. for an insult to the magistrates. [Kenneth Leal's signature here appears].

October.—Licenses granted for retailing ale and other excisable liquors in terms of the Act of Parliament of the fifth year of the reign of his present Majesty to:—Lilias Cumming, vintner, William Donaldson, smith, John Hay, town officer, Alexander Petrie, William Arnot, James Shaw, George Milne, Robert Gordon, all vintners, James Bower, butcher, John Baron, shoemaker [and sixteen others].

1766.

March.—The town's aughteen part rouped at £18 10s. Sc. The anchorage and shore dues rouped for three years at £5 stg. yearly. John Cumming, merchant, takes a tack of the Gallowhill grass for nine years and engages to enclose the lower part with a ditch and to pay 30s. Sc. yearly.

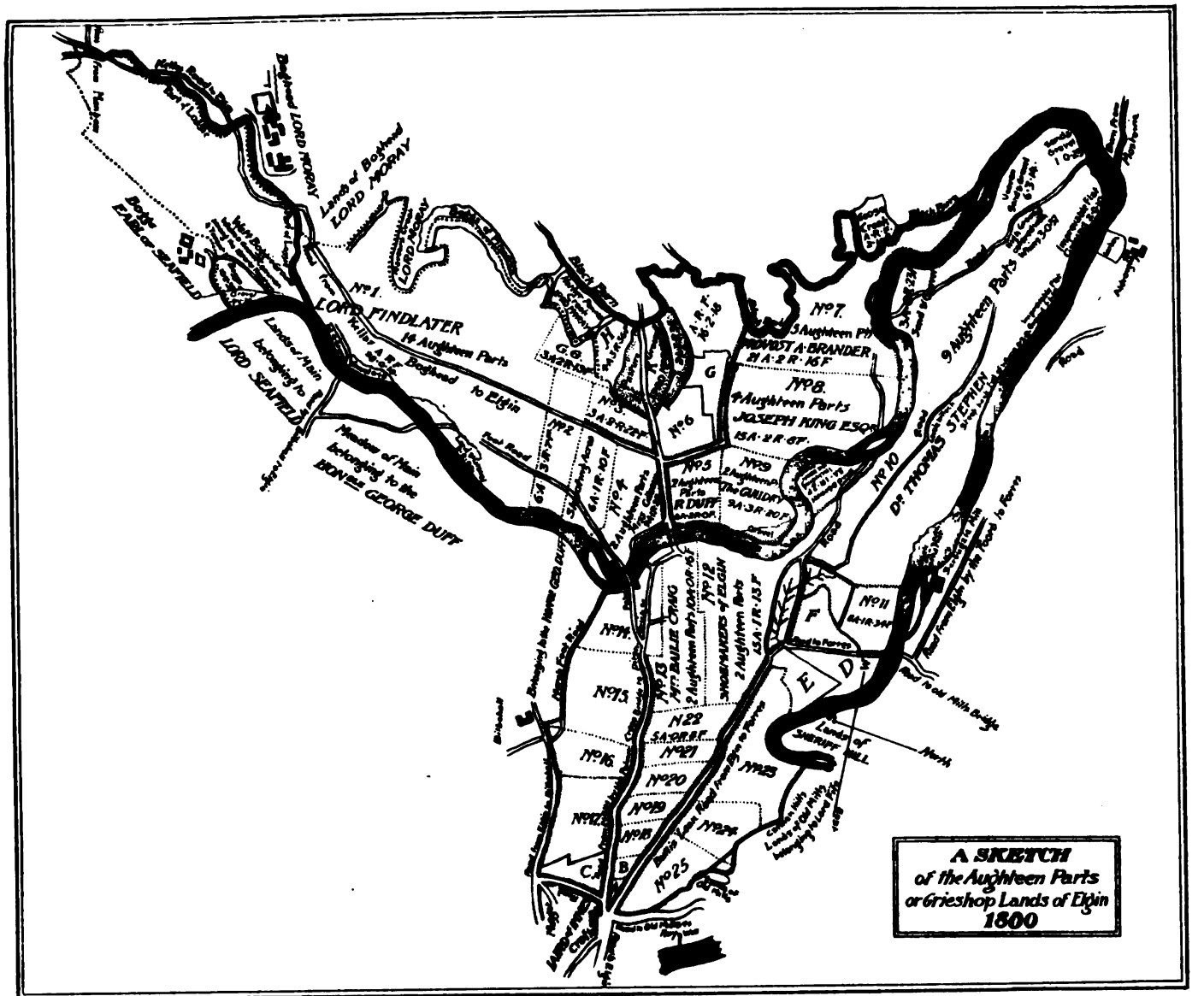
September 3rd.—William McAndrew, glover in Elgin, who was committed to prison on 26th August by authority of the sheriff substitute for being art and part or accessory to the breaking open of the Excise Office in Elgin, has escaped from the prison (the stones on the head of the stair below the door and the stones in the inside and outside of the door had been raised, the locks untouched). The other prisoners, John Ellis and James Rhind, had not escaped. The sum of £5 stg. is offered as a reward for his re-apprehension.

October 24th.—Licenses (24 in number) for retailing ale and other exciseable liquors granted to two shoemakers, three weavers, one gunsmith, one proofman, two butchers, two town's officers, &c.

1767.

February 6th.—Margaret Findlay engages to leave the burgh within a month and never to return.

* One Kenneth Leal, apparently the same man, robbed the post on the road between Elgin and Fochabers in December, 1772. He was tried at Inverness, and hanged on the spot where the deed was committed, in July, 1773.



His Majesty's Printers, Aberdeen

June.—A dispute arises betwixt Linkwood and the town anent their muirs betwixt the town and the lands of Linkwood.

November 4th.—Kenneth Leall vintner, offers for a tack of the petty customs being £58 yearly for three years [his signature appears here], but they are set to Thomas Morison for £60 11s.

1768.

February 22nd.—James Allan, procurator fiscal delates to the Lord Justice Clerk for trial at the ensuing Circuit Court Alexander Clerk and John Dick for the crime of murder committed on Robert Wilson.

Roup of the Common Good:—Cellar below the stair of the magistrates' loft in the kirk, old rent £2 Sc. yearly. No offers. Lyper land £114 Sc. offered. Pitullie's Hospital Croft £53 10s. Sc. offered. Town's Hospital Croft—James Cruden, schoolmaster, offered £27 Sc. The Shooting Acres £59 Sc. offered. School Aicker £36 Sc. offered. The Goose Crook £17 10s. offered. The town's four butts and old yards £11 6s. Sc. offered. Marywell grass £26 10s. Sc. offered. Churchyard grass £26 2s. offered. Horse Post Office £12 Sc. offered. Vault under the litle church £2 Sc. offered. Cellar under the Council house stair 2s. Stg. Loft under the Hospital £1 Stg. Seats in the New Loft in the kirk:—(1) 19s. Stg. (2) 19s. Stg. (3) No offer. (4) No offer. Shambles mail (£3 10s. present rent). No offer.

May 23rd.—Resignation of Glassgreen and Muirytack in favour of Robert Anderson of Linkwood which lands formerly pertained to: (1) Robert Anderson, elder of Linkwood; (2) Robert Anderson of Linkwood his son; (3) Alex^r. Dunbar; (4) Sir Alex^r. Innes of Coxtown; (5) Sir George Innes of Coxtown; (6) James Wiseman, writer in Elgin; (7) Mr. John Dunbar of Burgie; (8) James Anderson, Commissary Clerk of Murray and Barbara King his spouse; (9) William Anderson, Commissary Clerk of Murray; (10) Robert Anderson, merchant, Elgin, and now of Linkwood. [No. 10 is brother of 9.]

There is reserved to the Magistrates, Councill and community free use of the greens and mosses for casting and winning of peats, turfs, &c., within the lands of Glasgreen, commonly called the mosses and muirs of Glassgreen.

August 8th.—Resignation of the lands of Bailiefield and Blackbog, commonly called Nether Bogs, in favour of the Earl of Findlater by Dr. Alexr. Brodie, son of Dr. David Brodie.

October.—Thirty six licenses granted for retailing ale and other exciseable liquors to James Rhind, breeches maker, &c.

"Provost Innes's Park" resigned in favour of the Earl of Findlater having the Moss Wynd at the west, the common muir at the south, the park that pertained to James Thain and now to Bailie John Laing at the east and the burn of Tayock at the north.

1769.

March 4th.—The anchorage and shore dues at Lossiemouth set for £7 Stg.

July 22nd.—Head Court called anent the division of the muirs and for regulating the marches 'twixt the Earl of Findlater as proprietor of Linkwood, Glasgreens and Muirytack and the town. The Court authorise the magistrates to proceed with the division.

September 13th.—Robert Grant, bailie, (now deceased), disponed (1759) to William, his second son, that part of the Easter Cattails on the south side of the burn of Tayock on the east by the highway from the town of Elgin by the Maltfoord of Tayock, where there is now a stone bridge to the Millntoun of Linkwood on the south by the muir ground lately improved, &c., part of which lands are formed into a bleachfield called Grant's Green.

1770.

March 7th.—The dung of the streets for a year rouped for 16s. Stg., the tacksman to have right to all the dung upon the High Street and School Wynd or vennel, he to remove the dung twice every week.

1771.

March 11th.—Margaret Fraser, only daughter of the deceased James Fraser, Sheriff Clerk of Murray, served heiress in special to her mother, Margaret Torrie, in a rood of land upon the south side of the burgh, called St. Duthack's Manse.

1774.

December 10th.—George Stronach, one of the town's officers, to be imprisoned for seven days for permitting Mary Colpriest, residenter in Fochabers, to escape out of the prison.

1775.

September 30th.—Michaelmas Head Court held in the tolbooth. On the suit roll appear the names of Alexander Brodie of Windyhills, Archibald Duff of Drummuir, Mr. Lachlan Shaw, minister, John Robertson of Peebles, Archibald Duff, Sheriff Clerk, Robert Anderson of Linkwood, Laurence Sutherland of Greenhall, William King of Newmiln, William Grant of Grantsgreen, James Grant of Loggie, John Wiseman of Niddry's Wynd, &c. Lands in non-entry:—the lands of Pittensair, James Robertson of Bishopmilne's lands, the Earl of Fife's lands, the Earl of Findlater's lands, George Chalmers' aughteen part, John Davidson's do., William Burges's do. &c.

1777.

February 17th.—Resignation by William Spark of his half of the quarter of the town and lands of Barflethills with the half of the quarter part of the haugh which lands were formerly possessed by James Young, glover in Elgin, then by Robert Donaldson in Manbeen then by William Donaldson his son, then by John Brander, merchant, then by William Spark and Jean Lorimer his spouse, then by William Spark their son, which lands of old made a part of the barony of Kilmalemock but now are within the territory of the burgh of Elgin, parish of St. Andrews and shire of Elgin, and now disponed to Joseph Robertson.

March 27th.—Elizabeth Baxter, spouse to Andrew Davidson, shoemaker, who has been confined three weeks in prison, consents to three months' imprisonment. Her crime was breaking open a chest.

October 4th.—The magistrates represented that the Town Council of this burgh having had under their consideration the expediency of having lighted lamps in the high streets and that the Councill had authorized

the Magistrates to call a Head Court this day to have the opinion and sanction of the burgesses and inhabitants thereanent and that the magistrates had caused the court to be intimated three severall times through the town by tuck of drum, 126 persons in all met all of whom voted for lamps except Dr. Alexr. Dougall, Dr. Hugh Dougall, his son, Alexr. Innes, tailor, Robert Allan and Andrew Fenton who declared that they were very willing to contribute their share voluntarily for the support of so good a work as lamps for the town of Elgin but declined being taxed by any man or set of men whatever either for themselves or for their posterity.

1780.

March 15th.—John Sellar in Mill of Cruickmiln and presently prisoner within the tolbooth of Elgin in virtue of a caption at the instance of Thomas Sellar, writer in Edinburgh, was liberate in respect Thomas Sellar had failed to aliment him.

March 22nd.—The Gallowhill Green and Hangman's Croft being exposed for seven years under this condition that the occupier and carrier thereof shall not sow any corns thereon but shall keep the same always in grass and shall allow the people who come to the publick market with cattle or sheep to stand there during the market time without molestation and the same was carried by William Hay, weaver, at £1 of yearly rent.

June 19th.—Robert Murdoch agrees to give £1 stg. yearly for seven acres of the waste muir extending on the south to the road from Main through the Trades' Muir and on the west by that part of the muir feued to Mr. George Duff and on the north to the road from Main to the Miln of Walkmiln and on the east by the road leading along the west side of the Trades' Muir.

June 23rd.—Resignation in favour of Alexander Brander of that moss ward belonging to the two aughteen parts of land purchased by the deceased George Wilson, merchant, from John Spence of Stankhouse, extending in length from the ends of the crofts of Elgin at the north to the burn of Tyock at the south, containing 32 spaces in breadth.

September.—Michaelmas Head Court. Each absent freeholder fined £5 Sc. On the suit roll: Alexander Brodie of Windyhills, the Convener of the Trades, the Deacon of the Tailors, the Deacon of the Shoemakers, the Deacon of the Weavers, the Warden of the Masons of Kilmalenach [Kilmalemock in 1782] Lodge, the Warden of the Trinity Lodge of Masons in Elgin, the Dean of Guildry of Elgin, the Hospital Master, Laurence Sutherland of Greenhall, William King of Newmiln, James Grant of Loggie, Professor Ogilvie, James Gray, watchmaker, Captain John Innes of Leuchars, Joseph Robertson of Westfield, George Spark, watchmaker, Lieut. Alexander Anderson of the 69th Regiment, James Brander, Pitgavenie, Alexander Brander of Kinnedore, etc. [73 in all]. Lands in non-entry: the Earl of Findlater's lands, the lands of Pittensair, Kirdels and Decroy, Nether Manbeen and Bogside, George Chalmers' aughteen part, William Burgis' aughteen part, James Milne's garden in Lossie Wynd, etc. [27 in all].

1781.

June 16th.—The shop at the Little Church set for three years to John Cormie, barber, for 16s. stg. yearly.

August 29th.—The dung or fulie on the High Street and all the other streets or wynds within this burgh set to Robert Smith, writer, for £1 - 0 - 3 yearly on condition that they be cleaned regularly once a week.

October 18th.—Elspet and Isobel Farquhars, daughters of Alexander Farquhar, day labourer, on 25th July last agreed, as appeared in minute of Session aud Act of the Session baillie to leave the town, and if they returned to be imprisoned, yet they were found last night in their father's house with some of the military. They were imprisoned last night. They now compear. They said they came to town yesterday, intending to go to the country to-day and carry their clothes with them, and that only Alexander McLeod, a recruit, was in the house with them, and he was in courtship with Elspet Farquhar. The magistrates ordain them to remain in prison till the morning of the 20th, and then to be conveyed by two of the town's officers to the Walkmiln of Braemuckaty, and the magistrates hereby banish them from this burgh for ever.

1782.

September 28th.—Several of the burgesses having objected against the lamps being continued, the court appoint the Corporations to give in a particular state of their objections, so as the same may be laid before the Council, whereupon the Convener in his own name and in name of the several Incorporations protested that they should not be liable for any taxation that might be imposed upon them by the Council therefor.

The churchyard grass set to John Mortimer, farmer, for three years at £2 6s. yearly.

1783.

November 7th.—In presence of Baillies Robertson, Brander and Young, in the complaint at the instance of the procurator fiscal of court against Mr. Francis Russell, advocate, Robert McCraw, mason, and James Nicol, mason, for pulling down the West Port of this burgh, the said Mr. Francis Russell was fined in the sum of £20 stg. and appointed to rebuild the said Port against the first day of May next, and the said Robert McCraw was fined in the sum of £3, and James Nicol £2 stg., and appointed to remain in prison for fourteen days.

David and George Murdochs fined £1 stg. each for forestalling the market.

November 15th.—Robert McCraw and James Nicol on their petition are set at liberty.

1784.

May 28th.—The bailies ordain Sir Alexander Dunbar of Northfield to remove the dyke he is building upon the High Street opposite to his great lodging.

1785.

June 22nd.—Head Court held anent the town selling the muir called Stracant, it being of no value to the burgesses or advantage to the common good, seeing the Magistrates and Town Council had of late expended very considerahle sums in building of piers at Lossiemouth, which had involved the town in debt. No burgesses appear to object.

October 26th.—Half of the lands of Messondew set in tack for nine years at a rent of eight bolls victual and £8 - 9 - 8 stg. of money, besides ministers' stipends and other public burdens. The other half set for eight bolls victual and £10 - 9 - 8 stg. of money, etc.

1789.

August 6th.—John Munro, dyer, and others become bound to the Town Council and in name of the inhabitants of the east end of the town to keep in repair the pump and covering to be erected on the well called the New Well.

1790.

October 25th.—Compeared William Golf, a strolling player, who having been convicted of counterfeiting peauter or lead dollars, the magistrates hereby banish him from the liberties of this town, certifying him that if he again return he will be apprehended, imprisoned and whipped through the streets of this burgh. He consents to banishment and delivers up the mould and other implements found in his custody.

1791.

April 16th.—In letting the street dung the streets are divided into lots: (1) From the westmost boundary of the town down till the Tolbooth; (2) From the Tolbooth down till the Cross; (3) From the Cross down till Linkwood's Closs including both the Shambles and School Wynds; (4) From Linkwood's Closs till the East Port including the Friar and Lazarus Wynds and what part of the colledge is within the limits of the town. The streets in winter are to be regularly cleaned twice a week and oftener if the Magistrates direct. The lots were put up at 5s. each but no one offered.

1793.

January 22nd.—Resignation of two aughteen parts which belonged to John Ross, mason, then to John Petrie and were disponed by John Petrie to Rev. Mr. David Renton and Mr. William Peterkin, ministers in Elgin and the Kirk Session of Elgin in terms of Mortification, 12th June, 1777.

February 4th.—The Magistrates direct that the town's officers allow no spirits to be carried in to prisoners confined for crimes nor any company to be permitted to visit them.

Michaelmas.—83 on the suit roll, 25 lands in non-entry. The suit roll includes the Convener of the Trades, the Deacon of the Tailors, the Warden of the Kilnmalemock Lodge of Masons, the Dean of Guild, the Hospital Master, Lawrence Sutherland of Greenhall, Wm. King of Newmiln, Professor Ogilvie, the Deacon of the Shoemakers, Alex^r. Batchin, sen^r., farmer, the Warden of the Trinity Lodge of Masons, George Spark, watchmaker, Thomas Stephen, physician, James Miln of Bishopmiln, John Brander of Pitgaveny, the Preses and Treasurer of the Friendly Society, the Preses and Treasurer of the St. Giles' Society, the Deacon of the Wrights, Dr. James Coull of Ashgrove. In non-entry:—George Chalmers' aughteen part, the lands of Pittensear, James Milne's garden in Lossie Wynd, Kirdles and Delcroy, Nether Manbeen and Bogside, Drummuir's lands, Earl Findlater's lands, etc.

1794.

The Petty Customs set to John Junkin for £71 stg. The following set for nine years:—The Goose Crook to John Watson for £1 - 17 - 6, the Gallowgreen and Hangman's Croft to William Hendry for £1 (under the burden of using the same for a cattle market), Marywell grass to Thomas Grant for £3 3s. yearly, with liberty to the inhabitants on foot to go to and from the well on the premises called Marywell.

The town's four butts and old yards to Thos. Grant for 27s.

The town's aughten part to John Petrie for £2 15s.

The town's half ward to John Batchin for £2.

The School Acre to John Miller for £3 11s.

Bailie McKenzie's croft belonging to the town's Hospital to P. Riach for 50s.

2½ crofts belonging to the Town's Mortification to James Knight for £6 - 0 - 6.

1795.

March.—The Shambles mails set for £9 9s. to James Duffus; the eight booths in the new Shambles for 10s. each yearly; the Churchyard grass set up but no offerers.

1796.

February 15th.—Resignation of ane aughteen part of the grieshop lands with half of the grass land belonging to the said aughteen part commonly called the Boggs of Elgin to the Friendly Society of Elgin.

May 25th.—The Town Council and Sir Archibald Dunbar of Northfield, Bart., respectively agree to submit to arbiters the question of their rights to the customs of Burghead.

1797.

The old yards and the two-third parts of Croft Croy set in tack, the former for 30s. the five westmost rigs of Croft Croy and the other five rigs of Croft Croy at £3 stg. with the attolerance that the horse and cattle markets be held there.

July 1st.—William Leslie, elder and younger, in Crofts of Rothes, resign in favour of James, Earl of Findlater and Seafield, the two aughteen parts of the Greeship lands of Elgin and common grass land thereof, excepting the peat moss ward (which was disponed to John Stephen, merchant). The Magistrates and Town Council of Elgin are superiors of the said aughteen parts.

September 14th.—Head Court. The Magistrates report that Sir Archibald Dunbar offered the town £52 10s. stg. for their right in the customs of the harbour of Burghead, and that the Town Council had agreed if the Head Court approved. Several members request till to-morrow to consult thereanent. September 16th.—The Court by a great majority of voices declared against the sale of the customs of Burghead.

1799.

August 24th.—This day let in perpetual feu by public roup the Easter and Wester Muirs belonging to the town, entry to be at Martinmas, 1804. They were set up in three lots: (1) That part of the muir ground on the east of the Trades Park and to the east of the Rothes and Birney road, consisting of 34 acres, 3 roods and 13 falls (reserving 2 ac., 3 ro.,

8 falls, a piece of ground full of sandbanks and covered with whins going east to Mr. Mellis' plantation and west to the Trades Park as a common for the several proprietors taking sand to make up their wairds and cattails) bounded thus—on the west by the Trades Muir, on the east by the lands of Linkwood and Muirtown, on the south by the lands of Glasgreen and Muirytack and the park of Muirtown and on the north by the sandy ground referred to above; (2) That ground west of Provost Brander's property in extent 12 acres 1 rood bounded on the north by the muir formerly belonging to the Incorporation of Taylors and now the property of Dr. Thomas Stephen, on the east by the property of Provost Brander, on the south by the remaining parts of the town's lands and on the west by the muir ground of Bilbohall belonging to Hon. George Duff reserving a 16 foot broad road on the east side of this lot betwixt the same and Provost Brander's property as also the 16 foot broad road on the south side between the same and lot third as the mill road for the lands of Main; (3) The remaining part of the Town's muir consisting of 17 acres 3 roods 33 falls bounded on the east partly by the Trades Muir and partly by the lands of Glassgreen on the west, by the muirlands of Bilbohall on the south, by that part of the muir lately feued off to the Earl of Findlater and on the north by Lot 2nd by division therefrom by the said mill road reserving a road 16 foot broad on the east side of this lot leading from north to south.

The ground was set up as follows: the three southmost lots of the west muir in one division, the northmost one in another and the whole of the east muir to be set in a third. Lots 2, 3 and 4 on the plan of the Wester Muir carried by Mr. Alexander Young at the Elgin Brewery at the annual feu-duty of £1 8s. stg. Lot 1 (12 acres 1 rood) carried by Provost Alexander Brander at 21s. per acre. The whole of the Easter Muir except the sandy ground (of 2 acres 3 roods 8 falls) carried by Dr. James Coull of Ashgrove at 21s. stg.

September 28th.—Names on the roll 85 but only 5 present. The magistrates fine each absent member in five pounds Scots. The names on the roll include the Earl of Findlater, Laurence Sutherland of Greenhall, James Miln of Bishopmiln, William King of Newmiln, John Brander of Pitgaveny, John Gatherer, writer, William Rose, Balivat, the Convener of the Trades, the Deacon of the Taylors, the Deacon of the Wrights, the Deacon of the Weavers, the Deacon of the Shoemakers, the Society

of Gardeners, the Warden of the Kilmolymock Lodge of Masons, the Warden of the Trinity Lodge of Masons, the Preses and Treasurer of the Friendly Society, the Preses and Treasurer of the St. Giles Society, Alexander Culbard, glover, Patrick Duff, writer, etc. Lands in non-entry—25, including the lands of Pittensear, George Chalmers' aughteen part, Drummuir's lands, Kirdels and Delcroy, Nether Manbean and Bogside.

1800.

March 10th.—The dwelling house and pertinents at Lossiemouth let for £5 5s. to James Martin, vintner, present tenant, under this express condition that the tenant shall be bound to accommodate strangers resorting to Lossiemouth at the common rate in the country. The anchorage and shore dues let for three years at £35 stg. per annum. The common pasture lands let at £2 5s. stg., the feuars of Lossiemouth being allowed to pasture their horses and cattle on their paying for each beast a proportion effeiring to the rent offered.

1801.

The town's aughteen part as now set apart by the late division of these lands is set in tack for nine years at £10 1s. yearly, exclusive of stipend and other public burdens.

1803.

The following are set for nine years: the Goose Crook £2 10s., the Gallowgreen and Hangman's croft £1 - 0 - 6, the Marywell grass £3 3s., the town of Elgin's Halfward £2, the School Acre (£7 10s.) excluding the Snuff croft, Bailie McKenzie's croft £2 10s., 2½ crofts belonging to the Town's Mortification £7 14s., lands of Croft Croy (£4) with the 4 butts (10s.) and Old Yards (30s.), five seats in the loft of the parish church (average 9s.) and two in the Middle Loft (average 15s.) and the vault under the Council room, £1. The Petty Customs set for £72 10s.

Shield built into Dr. Adam's House, Elgin.

Shield built into Dr. Mackay's House, Elgin.

REFERENCES TO ELGIN IN THE REGISTER OF THE PRIVY COUNCIL (1549-1650).

1549, July 3rd.—*Taxation of certain named Burghs for the payment of arrears due to Mr. James Haliburton and his body of horse defending Dundee.* Mr. James Haliburton, tutor of Pitcur, lay in the town of Dundee for three months "for resisting of our auld enimeis in Ingland" with twenty-four horsemen, each to receive 5s. a day and the said James and his servants two crowns of the sun. For payment of the wages of these it is ordained that eleven burghs pay from 20 merks to 100 pounds each "be ressoun that they ly fardest from danger of the Inglischmen and is not daylie impesched with them lykeas uther borrowis of this realme ar." Elgin is ordained to pay 50 merks.

1561-2, February 15th.—The "auld possessers" of benefices to be assured of the fruits subject to the deduction of one-third for the sustentation of preachers and readers. The revenues within burghs of chaplainries and priories and of priories everywhere to be raised and applied by the Queen to hospitals, schools and other godly uses. The suitableness of the priory edifices for colleges, schools and hospitals. Proclamation that where these are undemolished they be upheld and in the meantime supported from municipal funds. "And knawing that nathing is mair commodious for the said hospitalitie nor the places of freris, as yit standand undemolissit, as als to the intertenying of scolis, collegis and utheris usis foirsaidis, ordanis the Provest and Baillies of Abirdene, Elgin in Murray, Invernes, Glasgow and utheris borrowis of this realme quhair the samyn ar nocht demolissit to interteny and uphald the saidis freris places standand in the saidis townis upon the commone guidis thairof, and to use the samyn to the commone weill and service of the saidis townis, ay and quhill the Quenis Majestie be forther avysit."

Apud Edinburgh xiiij Februarii anno etc. lxvii. Sederunt: Jacobus, Dominus Regens, Jacobus, Comes de Mortoun, Joannes, Comes de Atholl, Georgius, Comes de Caithnes, Magister de Grahame, Patricius, Dominus Lindesay, Joannes, Dominus Glammis, Robertus, Dominus Boyd, Alanus Dominus Cathcart, Alexander, Dominus Saltoun, Andreas Dominus Uchiltre, Episcopus Orchadensis, Episcopus de Galloway, Commendatarius de Coldinghame, Secretarius, Clericus Registri. Forsamekill as prepositioun being maid to the Lordis of Articles of oure Soverane Lordis lait Parliament of the greit zeale and cair borne be my Lord Regentis grace to the establissing of peace and justice in this commoun weill as his procedingis heirtofoir sen the acceptatioun of his office hes gevin sufficient testimony; bot as mony thingis yit remanis unperformit quhilkis with the assistance of God in proces of tyme mon be done; sa it is requisit that sum provisioun be fund out and maid for the intertening of the men of weir quhais service can nocht be sparit quhill the rebellious and dissobedient subjectis troublaris of the commoun weill in all partis of this realme be reducit to the dew obedience of our Soverane Lordis authoritie and observatioun of his Hienes peace. And the said Lordis understanding that the leid upoun the cathedrall kirkis of Abirdene and Elgin is for ane greit part be diverse personis thiftuouslie stowin and takin away na commoditie of the samyn cumand to the commoun weill of this realme thairfoir devysit, ordanit and concludit be the saidis Lordis that the leidis of the saidis kirkis salbe takin doun with diligence and sauld and disponit upoun for interteneing and sustentatioun of the saidis men of weir and utheris neidfull chargeis of the commoun weill of this realme sa far as the samyn extendis to at the discretioun of my Lord Regent lyke as at mair lenth is contenit in the Act of Parliament maid thairupoun."

Authority was given to Alexander Clerk and William Birny, burgesses of Edinburgh to go to these Cathedral kirks, take down the lead and transport, sell and dispone it and account therefor and commanding the following persons to aid the said Alexander Clerk and William Birny in this work, and "caus thame be furnissit of meit, drink, servandis, werkmen and utheris thingis necessar at thair ressonabill expenssis: Alexander Dunbar of Cumnok, knycht, sheref of Elgin and Fores, and his deputtis, Patrick, Bischop of Murray, Johnne Annand, provost of Elgin, the baillies of Elgin" and the corresponding officials of Aberdeen.

1567, July 21st.—Flight of Bothwell to the North. Patrick, Bishop of Murray, harbouring him in his Castle of Spynie, is to be held as an accomplice. Prohibition against payment of rents and dues to the Bishop.

1569, June 21st.—"Apud Invernes. The quhilk day Walter Urquhart, Sheref of Cromarty, became souertie for Andro Grant in Rossmarky that he sall compeir befoir the Justice or his deputtis in the Tolbuyth of Elgin upoun fuirsday nixtocum at ten houris befoir none undir the pane of V^C^. merkis." Similarly William Barbour in the Chanonry of Ross and William Barbour, his son, to appear at said time and place.

1569.—The Regent Moray made an expedition with an armed force to the North. Council meetings were held between 3rd June and 11th July at Dunnottar, Aberdeen, Elgin and Inverness, then retrogressively at Elgin and Aberdeen again. Morton and others of the Council accompanied the Regent.

"Apud Abirdene, octavo die mensis Julii anno etc. lxix. Sederunt: Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes, Comes de Atholl. Patricius Dominus Lindesay. Magister de Marscheall. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Registri. Clericus Justiciarie. Forsamekill, as my Lord Regentis grace, ane reverend Fader in God, Patrik, Bischop of Murray, the Chantour, Thesaurare, and diverse utheris channonis of the cathedrall kirk of Murray, willing to repair the samyn, hes condiscendit to satisfie, content and pay ane ressonabill contributioun, for mending, theking and reparaling of the cathedral kirk of Murray to the effect that the same may be a convenient place to convene the people for hering of the word of God; and considdering that thai frelie and liberallie hes condiscendit to this lovabill werk, tending to the commoun weill, the furthsetting of Goddis glorie and decoratioun of the cuntre, it is ressonabill that the Prelattis, channonis and beneficit men within the diocie of Murray contribute with thame that hes ellis willinglie offerit contributioun; swa that the support of mony concurring togidder, the burding may be the mair tollerabill to the haill."

The Abbot of Kinloss, the Prior of Pluscarden, canons, parsons, vicars, etc., are charged to pass to the town of Elgin within fifteen days to Maister Hew Craigie, parson of Innerkething, appointed master of the said work, and enter their contribution according to the value of their benefice. All not subscribing to be taxed.

1574-5, March 23rd.—Complaint to the Council by Blair burgess of Elgin:—Isabel Davidson, his spouse, was visited by (sickness in March, 1573, and sent for Alexander Winsister, mini the kirk of Elgin, to visit her and make her testament. He refu make it unless she consented to what he wished. But he m pretended testament, signed by him, without witnesses, leaving le to sundry persons, and these persons now poind Blair Alves' goc said legacies. Alexander Winchester was ordered by George, Bis Murray, and the elders of the kirk of Elgin to deliver the said Test but he refuses. He compears before the Council, confesses the n of the Testament and that it was at Isabel's request and that no wi were insert and that he never was in the habit of having wit The Privy Council find his conduct inorderly and against the practice of this realm, and therefore declare that Testament null Bishop of Murray is ordered to cause Alexander Winchester p expenses.

1574, April 27th.—Alexander Dunbar of Cumnok, Sheriff of and Forres, James Dunbar of Mawerstown, James Dunbar of l and Gawin Dunbar, Archdene of Moray, denounced and put to th and their goods to be escheat. The said Alexander Dunbar "hes all the tyme of the lait troublis plainlie rebellit aganis our Soveran and his authoritie, and as yit hes not subject himself to his M obedience or ressavit his Hienes favour bot plainlie contempn gude lawis and ordinances hes usurpit ane tyrannical jurisdiction said scherefship and of the Provestrie of the burgh of Fores drawa greit nowmer of our Souerane Lordis meane subjectis to a rel aganis his Majestie and his authoritie and to a plane seditioun cuntrie quhair he dwellis takand the grittar occasioun of his misc interprysis throw the distance of that place quhair he remanis frc sait and place of ordinar justice putting himself thairby in sure es that he sall not be punist for his demerittis." [The said Sheriff h often denounced rebel and put to the horn for not fulfilling c obtained against him by his creditors.]

1577-78, January 24th.—Anent our Sovereign's letters raised instance of Alexander Winsister, minister in Elgin, making menti quhair James Dunbar, Sheriff of Moray, causit charge the said Ale 19th October last, at the marcat crose of Elgin to answer for art a

of the slaughter of Elizabeth Dunbar, daughter to Maister Alexander Dunbar, dean of Murray (of which the said Alexander is most innocent and was not present), and directed his officers to the said Alexander's house and made inventory of his goods and would have intromitted therewith had not John Annand, provost of Elgin, Maister James Gairdin, William Hardie, Thomas Robertson and David Winsister, burgesses, become caution for him, he being absent. The Sheriff ordered the sureties on two or three days notice to enter the said Alexander before him, knowing he was absent in Edinburgh, complaining upon the said Sheriff. The Sheriff calls on the sureties to present him at Forres on 29th October. They appear and protest against the illegality. The Sheriff decerns the sureties to have incurred the pane of 1000 merks, and orders his officers to thresh out the sureties' corn. The sureties paid 40 merks each. The Sheriff orders his officers to intromit with Alexander Winsister's haill guidis, alleging that he through non-compeirance on 29th October was put to the horn. They threshed his corn. Alexander Winchester compears but neither the Sheriff nor his deputes, therefore James Dunbar, Sheriff of Moray, Alexander Dunbar of Thornhill, John Rutherford, burgess of Elgin, James Henry, John Moir, burgesses of Forres, Maister John Dunbar of Meftis and James Urquhart, burgess of Forres, are all put to the horn. April 21st.—William Creichtoun, tutor of Sanquhar, and William Crichton of Liberie become sureties for James Dunbar, Sheriff of Moray, and others.

1578, July 7th.—Case of Sheriff of Moray and others against James, Prior of Pluscarden, and Alexander Winchester, minister of Elgin. Parties called. The sheriff and deputes not compearing the Prior and Alexander Winchester compear and protest.

1578, October 11th.—Order for three armed levies of the lieges to meet on the Borders: Third levy—all the lieges between 60 and 16 in Aberdeenshire to Inverness-shire to meet His Majesty's lieutenant at Peebles on 1st December.

1578, November 3rd.—Caution by John Livingstone, yr. of Denypace, in £1000 for James Dunbar, sheriff of Murray, and in £1000 for each of his deputies to compear, 24th January, before the Council (see 7th July, 1578, supra).

1578-9, January 26th.—Suspension of the Commission given to Lauchlan MacIntosh of Dunnauchtane, Robert Innes of Innermarkie

and others at the instance of Alexander Winchester against the S of Moray to pursue the Sheriff, kin and friends by fire and sword. Sheriff compears before the Council.

1579-80, February 15th.—Proceedings for stopping the feud bet the Dunbars and the Inneses. James Dunbar of Cumnok, Mr. Alexa Dunbar, dean of Murray, James Dumbar of Tarbert, David Du apparent of Durris, Mr. John Dunbar of Meftis and George Dunb Westir Alves on the one part and John Innes of that ilk, Robert Inn Innermarkie, elder, Robert Innes of Innermarkie, yr., Robert Inne Drany, Alexander Innes of Cokstoun and Thomas Innes of Pethnik charged to appear before the Privy Council on 15th April "to und sic ordour as salbe thocht meit" under the pain of rebellion.

1589-90, March 13th.—Act for the rigging out of ships for bring the King and Queen home.

The King having by an article sent with some of his councillors fr Norroway "recommendit to the inhabitantis of his Hienes burrowis" fit out certain ships "in gude equippage, for the convoying and han bringing of his Majestie, with the Quene his darrest bedfellow, in t realme, at the tyme and seasoun convenient thairto now short approcheing," the Commissioners of the Burghs agree to fit out six shi of which one shall be furnished by Aberdeen, assisted by Brechin, Elg Invernes, Cullane, Fores, Narne, Tayne, Monrois, Northberuik a Dunbar, "quhilkis shippis weill and honnourablie equippageit a furneist every ane of thame with thretty marineris, quhairof thair salt sax expert pilottis, accouterit and furnist with hand senzeis, flaggi streameris of weir of reid taffetty, reid syde claithis and dekkit toppi with the cullouris of reid and yallow salbe riggit oute be every ane of th principall burrowis particularlie abonewrittin."

1590, October 2nd.—Complaint by Mr. Walter Wilsoun of Brakanhill as follows: Johnne Annand, provost of Elgin, having been put to th horn upon 24th July last by letters raised at the instance of the said Mr. Walter, he had delivered the said letters immediately thereafter to Alexander Gadderar, Sheriff Clerk of Elgin, where the said rebel "hantis and remanis" desiring him to register the same conform to the Act of Parliament. But the said Alexander has not only refused to do so, but has retained the letters and will not deliver them again to the complainer. —The complainer appearing by Mr. Robert Young, his procurator, but

the defender neither appearing nor having delivered the letters to the complainer as already charged, the Lords once more charge the said Alexander, under pain of rebellion, to deliver them within six hours after the charge to the complainer, "upoun his ressounable expenssis" registered "of the same date that they wer deliverit to the said Alexander."

1591, July 20th.—Registration by Mr. Johnne Prestoun as procurator for the sureties of band of caution in £500 by Archibald Douglas of Pettindreych for Williame Gibsoun, burgess of Elgin, that Alexander Hay of Eistir Kennet, Clerk of Register, fiar, and Williame Hay, life-renter of Mayne, shall be harmless of him. Subscribed at Pettindreych, 14th July, before Andro Dowglas, Hew Dowglas and George Dunbar, servitors to the said Archibald and George Cuming, burgess of Elgin, and Thomas Hay, notaries public.

1591, July 21st.—Order to denounce Alexander Gatherar, Sheriff Clerk of Elgin. "Complaint by Grissell Leslie, relict of D^d^. Dunbar of Littill Suddie, and by Alexander Nicolsoun, messenger, for his interest, as follows:—Mr. Johnne Dunbar of Meftis and J^s^. Dunbar of Tarbet and D^d^. Dunbar of Durris as cautioners for the said Mr. Johnne, having been put to the horn by letters raised by the said Grissell, the said Alex^r^. 'immediatlie efter the said denunciatioun, past to Alexander Gadderare, sheref-clerk of the sherefdome of Elgin, and deliverit to him the saidis letters' in order to their registration according to the Act of Parl^t^. The said sheriff-clerk had received the letters and promised to register them within eight hours; but when, at the end of the eight hours, the said Alexander Nicolsoun required the letters from Gadderare, he had refused, 'delaying him utheris xxiiii houris upoun promeis at the end thairof to deliver thame to him.' On the return of the said Alexander Nicolsoun, after the expiry of the said time, to the dwelling house of the said Alexander Gadderare, he found that Gadderare had 'absentit and hid himself, and closit the yettis of his said hous, quhairthrow the said complenar mycht not get entre within the samyn; yit, having accidentlie louked in at the windo, he saw the said sheref-clerk writting ane reversioun, quhilk quhen he persavit he causit oppin his dur and of new promeist to deliver the saidis letters ower registrat or unregistrat betuix and nyne houris at evin, drifting and delaying tyme quhill he gaif advertisement to the saidis rebellis of his procedingis. And albeit the said messinger past ower that

schort space with the rest, lippynning for na forder schiftis nor del the said sheref-clerk, at the last, planelie refusit ayther to registe redeliver the saidis letters, affirmyng that he had rather tyne and lois office nor to do ony thing hurtfull or prejudiciall to the saidis rebe and, to the effect the said messinger sould get na certificat upoun refusall, he causit the haill notaris within Elgin absent thame selffis fu thairof; and swa, eftir the said messinger had remanit xlviii ho togidder upoun the ressait of the saidis letters, he was movit at last depart: quhairthrow the said sheref-clerk hes committit a manifest fal and dissait, to the stay and hinder of justice.' The said sheriff-cle having failed to appear this day and answer as charged, while t complainers appear by Mr. Williame Leslie of , is to denounced rebel."

1591, July 27th.—Caution in 1000 merks by George Monro of Mek Tarrell for William Hay, liferenter of Mayne, that Johnne Innes, youngc Johnne Innes, elder, Williame Innes, Williame Gibsoun, Mr. Jam Gairdin, Johnne Gibsoun, Thomas Hay, Alexander Boyne, Jam Dowglas, Johnne Annand, Alexander Annand, James Guthrie, Davi Torre, Williame Young, Alexander Pringill, Robert Sutherland, Thoma Wamfray, James Reid, James Cuming, Robert Innes, James Inne Johnne Innes, David Watt, Walter Auldcorne, James Ogilvy, Rober Winchester, and Johnne Andersoun, burgesses of Elgin, shall be harmles of the said Hay,—Alexander Hay of Eister Kennet, Clerk of Register fiar of Mayne, and the said principal, becoming sureties in relief.

1594, August 10th.—Act of Caution. George Leslie of Arknow for Williame Drumbrek of Urtane, £1000, not to harm Katherene Cowie, relict of James Sutherland, burgess of Elgin, also to pay £20 for his escheat.

1594, August 21st.—Act of Caution. Alexander Annand, burgess of Elgin, for Williame Gibsoun, David Torrie, Mr. James Gairdin, bailies of Elgin, Johnne Annand, James Douglas, Thomas Umphra, elder, Thomas Hay, Alexander Boyne, and Williame Young of the Council of the said burgh, to pay 100 merks for their escheat or report nullity of horning for not paying the tax of said burgh.

1595, August 4th.—Alexander Annand, apparent of Muriestoun, for Walter Aldcorne, burgess of Elgin, 1000 merks, not to harm James Ogilvie, burgess there.

1595-6, February 2nd.—"The cathaloige of the names of the Barronis, Gentill[men] and utheris within the shereffdome of Murray convinit [at] the Carne of Kilboyak for obedience of his Hienes proclamatioun meid anent the General Wapinschawing and mustering the secund day of Februar, 1595." The Laird of Grant mustered 500 of his men, of whom 300 were "fensabill men according to the custowme of his landis to defend within the cuntray and the schyris heirabut." Of these three hundred, four score were "weill armorit as effeirs to pas to the kingis wyris"; forty of the said four score "with habirstoun, twa handit sword and knaipskais, uthir fourtie with bow, schraif, knaipskais, swordis and targis, according to the hiland custowme." There also assembled on the same day and at the same place from the Barony of Urquhart twenty five men with jacks, spear, swords and other weapons, and from Duffus three horse men and six footmen "sufficientlie acuterit," but "the remanent naikit, onarmit and all wais onmeit for service in weirfair": Archibald Douglas of Pendricht [Pettindreich] and his men—five horsemen and twenty footmen (two of the latter had each "ane bow, butt armur," others had lances and swords), also sixteen cottaris "withowt ony kynd of armur": John Dunbar of Moynes, bailie of the Earldom of Murray, assembled "aucht scoir of men abill and gude, of the quhilkis nummer twentie horse men with jack, speir and steilbonat, abill to pas furtht of Murray to his Majesteis waris within Scotland, the rest bot powir, nakit men for the meist pairt and onabill to pas furtht of the cuntray for povertie": from the Barony of Rafford and the lands of Kilboyak three horsemen armed and thirty men unarmed: from the Barony of Kylloss twelve horse men in armour and three score footmen unarmed: from Altyre under Alexander Cuming, apparent of Altyre, fourteen men, of whom two horsemen, with "bow and bag," swords and other weapons: David Brodie of that ilk and five men with jack, steilbonat, pleitslevis, etc.: Walter Kynnard of Cowbin with seven men and William Cuming of Ernsyde with eleven men, of whom Thomas Roy had "ane bow and ane twa handit swerde."

1598, June 24th.—Band by Robert Innes of that ilk for Alexander Innes of Cokstoun, James Innes of Blakhillis and John Innes of Coittis, £500 each, and for Thomas Innes, his brother, William and Alexander Innes, his brothers, 500 merks, not to harm William Hay of Mayne, conform to the king's letters, dated at Edinburgh, 21st January, 1591.

Subscribed at Elgin before John Annand of Muirrestoun, Wa Kynnaird of Cowbin, &c.

1599, August 18th.—Act of Caution. Thomas Hay, clerk burgess of Elgin, for William Hay of Mayne in 1000 merks not harm Alexander Innes of Cokistoun, Mr. John Innes of Haltoun a Robert Innes in Speislaw. Subscribed at Elgin before Mr. Ale Douglas, minister at Elgin, Mr. Gawin Douglas, his brother, Mr. Ale ander Rawsoun, parson of Spynie, etc. Also William Hay of Mayne Mr. Alexander Douglas, minister at Elgin, and George Douglas, minist at Dolles, in 500 merks each, and Mr. Gawin Douglas, their brother, 300 merks to effect aforesaid.

1599, November 9th.—Acts of Caution. Alexander Annand Murestoun for James Douglas in 1000 merks, Mr. Alex^r. Dougla minister at Elgin, in 500 merks, George Douglas, minister at Dollas, i 500 merks, Mr. Gawin and Archibald Douglas, their brothers, in 30 merks not to harm Robert Innes of that ilk and other Inneses. Als John Grant of Tomalene, brother of Patrick Grant of Bellendallach, fo William Hay of Mayn, 1000 merks, not to harm Robert Innes of that ilk, Alexander Innes of Coittis, etc. November 17th.—John Grant of Cardellis for William Hay of Mayne in 1000 merks not to harm James (sic) Innes of that ilk and other Inneses. Also Robert Leslie of Aberlour for James Douglas, burgess of Elgin, etc., not to harm Robert Innes of that ilk.

1600, April 9th.—Act of Caution. James Innes of Mynenie for Alexander Innes of Cokstoun not to reset or intercommune with Mr. Alexander Innes, sometime minister at Birnay, Robert Innes of Coittis and other Inneses put to the horn at the instance of William Hay of Mayne, Mr. Alexander and other Douglases for not answering for the slaughter of William Hay, father-brother of said laird of Mayne and of the late Agnes Leslie, mother of said Mr. Alexander Douglas and his other brothers. Subscribed at Dippill before Robert Innes of Essill, William Annand, son of the late John Annand of Murrestoun.

1600, April 18th.—Acts of Caution. James Douglas of Schuittingaikeris for Walter Kynnaird of Culbin and Thomas Kynnaird, his son, 500 merks, not to reset Mr. Alexander Innes, minister at Birnay, denounced rebel at the instance of William Hay of Mayne. May 5th.—Thomas Innes, burgess of Elgin, for Margaret Ros, relict of William

Innes of Unthank, 500 merks, not to reset Mr. Alexr. Innes, minister at Birnay.

1600, July 10th.—Complaint by Andro Dunbar, messenger. While he was executing the letters raised by the provost, bailies and council of Elgin for discharging any public market to be held at the kirk of Ugstoun and ordaining the same to take place at Elgin, conform to the privileges of the said burgh, Jeane Barclay, Lady Innermarky directed (on 29th September last) Robert Innes, now of Innermarky, her son, Robert Innes of Coittis, rebel, and others to the said kirk where they "presented bendit hacquebuttis and pistollettis to his womb and face and avowit to have his lyffe," if he did not depart off that ground, or if he used any further charges against persons meeting at the kirk of Ugstoun, and though he bore his Majesty's arms they took him by force "and maist dispitfullie expellit and schoit him oute of the said kirkyaird be the schoulderis and swa deforcit him in the executioun of his office, and had not faillit to have slane him and bereft him of his lyffe wer not God and guid nichtbouris intervenit. Also on 2nd May last the complainer having passed to the place of Plewlandis where the said Lady dwells in order to command her to buy the Acts of Parliament, conform to the charges given him by the Clerk of Register (Vol. V., 463), her said son and others invaded him for his slaughter. The complainer appears and the said Lady and her son and others to be denounced for failing to appear.

1600, July 30th.—James Innes of Mynneny as principal and Alexander Hay of Delgatty as surety, £1000, not to harm William Hay of Mayne, Mr. Alexander Douglas, minister at Elgin, and other Douglases.

1601, May 9th.—Act of Caution. William Torrie of St. Katherine's crofts for John Man in Thornehill, 600 merks, not to harm Robert Keyth in Thornehill.

1601, May 27th.—Act of Caution. Alexander Annand of Murrestoun for Thomas Grant in Letachie (Lettauch), 500 merks, not to reset or intercommune with Mr. Alexander Innes, sometime minister at Birneych (Birnie) and other Inneses, all put to the horn at the instance of William Hay of Mayne, James Douglas, provost of Elgin, and other Douglases for the shameful slaughter of Agnes Leslie, relict of Mr. Alexander Douglas, provost of Elgin, and of the late William Hay, father-brother of the said William Hay of Mayne, and for mutilation of the said William Hay in his left hand.

1602, April 23rd.—Act of Caution. John Trail, burgess of Du for George Trail, his son, 500 merks, not to harm the provost, bailie council of Elgin.

1602, July 14th.—Bond of Caution by Alexander Dunbar of Ta Patrik Dunbar of Culboyak and Mark Dunbar of Durris, conjointly severally for Alexander Dunbar of Westfeild, sheriff of Moray, in 1c merks, that the said sheriff and all for whom he is obliged to answe the law and General Band will keep the peace, and that he will person compear and answer before their Lordships when charged. Sig Patrik Dunbar of Conzie, A. Dunbar of Tarbart and Mark Dunba Durris.

1602, July 14th.—Bond of Caution by Alexander Dunbar of Westfi Sheriff of Murray, in 3000 merks "for the haill personis beiring the na of Dunbar within the boundis of Murray" that they will keep the pe in terms of the laws and General Band, and that he will appear a answer to complaints against them. An alteration of the caution fro "fyve" to "three" thousand merks is signed by "Montroiss, Can^rius."

1602, September 8th.—Act of Caution. James Anderson, burgess Elgyne, as principal and James Petrie as surety, 500 merks, not to har James, Earl of Murray, or Archibald, Earl of Angus, John, Earl of Ma William, Earl of Mortoun, etc., curators to the said Earl of Moray.

1602, October 1st.—Act of Caution. Alexander Pringle, bailie o Elgyne, and Thomas Mylne, burgess, each for the other, etc., all ir £1000 each not to harm James, Earl of Murray, and his curators.

1602, December 15th.—Act of Caution. Mr. James Grant of Ardinelie for Robert Innes, burgess of Elgyne, 500 merks, not to harm James, Earl of Murray.

1603, March 8th.—His Majesty's promise to the Earl of Murray to ratify his infeftments in Parliament. "Act in favour of the Erle of Murray:—His Majesteis promeis *in verbo principis* to ratifie in the nixt Parliament to my Lord of Murray, etc., the chartour granted to James, Erle of Murray, his gudschir, of the erledome of Murray, chartour granted to his gudschir of the lordschip of Downe, the chartour granted to the said umq^ll. Erle of the erledome of Buchane, lordschip of Auchterhous and baronie of Glendovachie, the lands of the bishoprik of Murray, the landis of the abbacie of Santcomes, and to dispone of new the saidis haill lands in Parliament to grant the warde landis in taxt warde and als to

ratifie and give new infeftments of the burrow maillis of Elgin and Forres and the customes of the salmond fischeings within the sherefdome of Murray."

1603, May 13th.—Act of Caution. William McIntosh of Borlome for Robert Innes of Innermarkie, 2000 merks, not to harm William Hay of Mayne, or James, etc., the sons of the late Mr. Alexander Douglas, provost of Elgin. Subscribed before Mr. John Keith, parson of Duffus, Mr. Alexander Keith, his son, and Robert Sutherland, reader at Duffus.

1603, June 6th.—Act of Caution. John Annand of Glasgaen (sic), burgess of Elgyne, for William Hay of Mayne, £1000, not to harm Thomas Grant of Schireftoun.

1603, July 14th.—Maister Alexander Dowglas, minister of Elgin, and his brother complained that the lairds of Innermarkie and Innes reset certain Inneses, rebels, and put to the horn for the slaughter of the pursuers' brother; Innermarkie compeirand was ordanit to find caution not to reset nor supply or inter-commune with any of the said rebels and to underly the law when he sall be chargit to that effect under pain of 2000 merks and to find the like caution for indemnity of the saidis persewars.

1603, July 16th.—Act of Caution. William Forbes of Corsindey and John Forbes of Brux for Robert Innes of Innermarkie 2000 merks not to harm James Douglas, burgess of Elgyne, Mr. Alexander Douglas, minister at Elgyne, George Douglas, minister at Culane, Hew, Mr. John, Mr. Gavin and Archibald Douglasses, brothers of the said Mr. Alexander.

1604, March 21st.—Symone, Lord Fraser of Lovat, and Sir Thomas Gordoun of Cluny for James Cuming, fiar of Altir, £1000, not to harm Thomas Hay, town clerk of Elgin.

1604, April 27th.—John Forrest of Parkwall of Dirletoun is become caution for John Gordon, merchant burgess of Elgyne, not to harm James, Earl of Murray, or his tutors or curators under the pains in the king's letters. James Anderson, merchant burgess of Elgin, caution for James Petrie, burgess there, and John Bonyman, burgess there, caution for John Geddes, merchant burgess there, either of them in 500 merks to effect foresaid. David Torrie, burgess of Elgin, and Alexander Grant, burgess there, the one for the other, James Young and George Wanis, also burgesses there, each in 500 merks, also to effect foresaid, conform to the letters raised against them of date at Edinburgh, 23rd June, 1602.

1604, May 1st.—James Donnaldsoun, merchant burgess of Elgyne, and Robert Keith, burgess there, the one for the other; [and seven more couples, all] in 500 merks each not to harm James, Earl of Murray, or Archibald, Earl of Argyll, John, Earl of Mar, etc., conform to the charge, dated 23rd June, anno regni 35. [One couple is John Culback and Alexander Riauch.] William Mortymer, glasswright, burgess of Elgyne, and others all in 500 merks to the effect foresaid.

1604, September 27th.—Act of Caution. Hew Falconer of Innerlochty for William Hay of Mayne, 2000 merks, not to harm Mr. Alexander Dowglas, minister at Elgyne. (Alexander Rausoun, parson of Spynie, is a witness.) John Innes, burgess of Elgyne, in Langmorne for Alexander Innes in Quhytwra 500 merks, to the effect forsaid.

1604, October 5th.—Act of Caution. James Douglas of Barthslathill for Mr. Alexander Dowglas, minister at Elgyne, £500, not to harm James Kynnaird in Quhytwray and Alexander Innes there, Robert Keith in Thornehill or John Innes in Langmorgone.

1604, October 15th.—Act of Caution. William Mylne, burgess of Elgyne, for George Sutherland, burgess there, 500 merks, not to harm James, Earl of Murray, etc., conform to the king's letter, dated at Edinburgh, 3rd June, 1603.

1605, June 10th.—George Cuming, burgess of Elgyn, for Hew Falconer in Innerlochtie, £1000, not to harm Kenneth McKeinzie of Kintaill or John McKenzie of Quhytruiff.

1605, June 15th.—Patrick Gibson of Schirefmill for William Cuming, fiar of Ernesyde, £1000, not to harm Alexander Dunbar of Culboyak, conform to the king's letters, dated at Edinburgh, 20th May last. The band subscribed at Elgyne before James Rutherford, burgess of Elgyne, Alexander Gadderar, N. P. there, etc.

1605, July 16th.—The burgh of Elgin cited before the Council for not having a sufficient tolbooth.

1605, October 30th.—Alexander Dunbar, Sheriff of Murray, Dorothie Dunbar, his spouse, Robert Dunbar, apparent of Moynes, and Marjory Dunbar, his spouse, who had been put to the horn, 15th July last, for not paying an annual rent of 100 merks due yearly to Kathereine Carmichaell, relict of Williame Creichtoun, tutor of Sanquhair, since the decease of her husband till the principal sum of 1050 merks should have been paid and for not fulfilling all the articles of a contract dated 24th August, 1580,

between the late James Dumbar of Cumnok on the one side and complainer's (Kathereine Carmichaell) husband and herself on the other side still continue at the horn. Charge had been given to the said Sheriff to answer, and now the Captain of the Guard is ordered to apprehend the Sheriff for not appearing, remove his family furth of his houses and inventory his goods for the king's use.

1606, May 29th.—Mark Mawer, Commissar of Murray, John Mawer in the Haugh of Dipple and Michaell Mawer of the Loch ordained to be apprehended for a civil debt.

1605, October 21st.—James Douglas of Barflachillis for Mr. Gavin Douglas, burgess of Elgin, £500, not to harm Hew Falconer of Innerlochtie. The band is subscribed by Andro Stalker, goldsmith, burgess there, and others. George Cuming, burgess of Elgin, for Hew Falconer of Little Innerlochtie 1000 merks, not to harm Mr. Alexander Douglas, minister at Elgin. October 25th.—James Douglas of Barflithillis for Mr. Alexander Douglas, minister at Elgin, 1000 merks, not to harm Hew Falconer of Little Innerlochtie.

1606, August 7th.—Alexander McMath, elder, merchant burgess of Edinburgh, for George, Earl of Caithness, £1000, not to reset or intercommune with Mr. Alexander Innes, sometime minister at Birney, Johne Innes, elder, called McCarrie, Johne Innes, yr., called Lang Johne, William Innes, skinner, Robert Innes, flesher, James Innes, son of the said Johne Innes, elder, Alexander Innes, saddler, Johne Innes, sometime in Coittis, Robert Innes of Coittis or James Scott in Little Innerlochtie while they lie at the horn to which they had been put at the instance of William Hay of Mayne, James Dowglas, burgess of Elgyne, Mr. Alexander Dowglas, minister at Elgyne, and George, Hew, Mr. Johne, Mr. Gavin and Archibald Douglas, their brothers, for the slaughter of Agnes Leslie, relict of Mr. Alexander Douglas, sometime provost of Elgyne, and the deceased William Hay, father brother of the said laird of Mayne, and for mutilation of the said laird.

1606, September 22nd.—James Douglas of Barstachillis for the right reverend father in God, Alexander, Bishop of Murray, £1000, not to harm Hew Falconer of Little Innerlochtie. The band is subscribed at Elgin, 15th September, before William Douglas, vicar of Elgin, Mr. James Guthrie, minister at Urquhart, and Mr. William Clogie, preacher of God's word at Elgin. Gawin Douglas, burgess of Elgin, for James

Douglas, burgess there, £1000, not to harm Hew Falconer in Little Innerlochtie.

1606, September 30th.—William Cuming, fiar of Ernisyde, for John Cuming of Ernisyde, £1000, and for John Cuming, his son, 400 merks, not to harm Stephane Johnnstoun in the College of Elgin, conform to the king's letters dated at Edinburgh, 5th February, 1603.

1606, December 3rd.—Mr. Gawin Douglas, burgess of Elgin, for James Gibsoun, merchant burgess in Dundie, 500 merks, not to harm the provost, bailies and council of Elgin, conform to the king's letters dated 1st December, 1606. Thomas Grant of Culquhoth for Stephane Johnnstoun in the College of Elgin, 500 merks, not to harm John Cuming of Irnesyd or John Cuming, his son. This band subscribed before Nicolas Dunbar, son of Mr. John Dunbar of Meft, Thomas Mill, merchant burgess, etc.

1607, February 19th.—Complaint by Stephane Johnnstoun, messinger, against John Cuming of Eirnesyde, John and Archibald, his sons, James Fraser, alias Suddart, their servitor, Walter Innes, also their servitor, John Innes, sometime of Coitis, Robert Innes, his son, and Thomas Innes, parson of Bonochie. He complained (1) that in August, 1602, Cuming of Ernside came to his (complainer's) lands of Nether Linkwoode and cut and destroyed a great quantity of his corn (2) the complainer having been in Elgin, 16th November, 1602, John Cuming and his son attacked him with swords and dirks, and would have slain him but for the providence of God and the help of divers good subjects (3) in 1603 and 1604 John Cuming and James Leslie, burgess of Elgin, demolished all his houses and yard dykes (4) on 15th September last John Cuming and others to the number of twelve came to his lands of Linkwoode and not only reft his stacked and stooked corns, but also attacked complainer for his slaughter (5) on 24th July last, while complainer was in Edinburgh, John Innes, sometime of Coittis, Robert Innes, his son, and Thomas Innes, parson of Bonechie, with others came to his chamber in the College of Elgin, broke up the outer gate thereof, used "divers ingynis" to demolish the inner doors, and at last entered and reft sundry of his evidents. They came to Issobell Cuming, complainer's mother, ejected her, broke up her doors and chests, and spuilyied three stand of "courtingis," six fine feather beds, six pairs of blankets, four pairs of linen sheets, twenty cods, a dozen new cushions, a great paper book and various other books.

1607, March 2nd.—Stephane Johnstoun for Isobell Cuming, his mother, in the College of Elgin, 500 merks, not to harm John Cuming of Ernesyd or John Cuming, his son.

1607, June 23rd.—[Meeting of Privy Council, twenty-three members present, one being Huntly, who gave his oath of allegiance.] Complaint by Sir Thomas Hammiltoun of Monkland, his Majesty's Advocate, that George, Marquis of Huntly, "nawyse repairis to the kirk and heiring of the sermone, abstenis frome the communion and in the governament of his houshold and familie professis and utteris himselff to be ane direct adversair and not weill resolvit in the treuth and thairby gives verie just occasioun of sclander to the kirk." For these offences he ought to be punished in the manner specified in the king's Declaration in answer to the petition from the General Assembly held at Linlithgow in December. Charge had been given to the Marquis to answer; and now, pursuer appearing, with Peter, Bishop of Aberdeen, and Alexander, Bishop of Murray, who concur with him, and the defender being also present and the defender having confessed that he "was not fullie resolved in the haill heidis of religioun presentlie professit within this kingdom and albeit sometymes he hantit the kirk and preiching, yit he wes not an ordinair heirair, nather wes he desyrous to communicat quhill he wes forder resolvit," the Lords ordain the Marquis to be confined in the burgh of Elgin and eighteen miles round, "and that every moneth during the tyme of his confynning, he remane ten dayis togidder within the said burgh of Elgin, whereof twa salbe Sondayis and that, alswele during his stay in the said burgh as in his residence at hame he resorte upoun Sondayis to the heiring of the sermone and that upoun these dayis and utheris dayis of his residence within the said burgh he be alwyse reddy to confer for getting resolutioun of such doubtis as he can object for not conforming himselff to the present professioun, and that he alwyse forbeir frome all resetting or intercommuning with ony jesuitis, seminarie preistis or excommunicat papistis as he will answer to his Majestie and the saidis Lordis upon the contrair at his heichest perrell."

1607, November 26th.—Forsamekle as George, Marques of Huntly, being confynned within the burgh of Elgin and [blank] myllis thairaboute, according to that directioun formerlie send hame be his Majestie to the Lordis of Secreit Counsell, and his Majestie now considering the small fruit of the said Marques stay in these pairtis, baith by reasoun of the

few nomber of the learned ministeris thair with whome ather he micht confer or whose sermonis he might heir, and als in regaird of that his greate commandiment and following in these same boundis being sa far remote from the place of the residence of the Prevey Counsell as no doubt it geves him the more libertie to omitt the doing of that whilk is enjoyned to him, and he remanis altogidder uncontrolled for the same: And seeing the heiring of the Word and conference with leirned men must be the banishearis from the said Marques of that his blind superstitioun: It is thairfoir his Majesties will, pleasour and directioun that the said Marques confyneing salbe changeit fra Elgin to Abirdeyne, and that his repairing to sermonis and conference with the learned men of the ministerie salbe heirefter within the burgh of Abirdeyne as it was formerlie appoynted within the said burgh of Elgin sua that his Majesteis goode intentioun for the confyneing of these nobilmen for bringing of thame to this knowledge of the treuth be not eludit, and thairfoir the Lordis of Secreit Counsell ordanis letters to be direct chargeing the said Marques of Huntly to addresse himself to the said burgh of Abirdeyne, and that he remayne within the said burgh, hant the sermonis, use conference and observe all the remanent injunctionis and commandimentis specifeit and contenit in the Act of his confyning within the said burgh of Elgin (Vol. VII., 395-6) conforme to the tennour thairof in everie point, claus, heid, article and circumstance of the same within fyftene dayis nixt after the charge under the pain of rebellioun. [The Marquis was excommunicated by the General Assembly in 1608, and committed to prison in Stirling Castle, where he remained some years.]

1608, March 10th.—Proclamation for co-operation of Scottish fencibles with forces from Ireland in a new expedition to the North and West Isles for reducing the same to his Majesty's obedience. A part to meet in Yla on 1st of June next, to come "weill bodin in feir of weir, with cariage and palyeonis to ly on the feildis and with fourty dayis victuallis." The landed gentlemen from the counties and burghs of the southwest and north of Scotland to meet at Inverness. The northern counties included Aberdeen to Caithness, and the northern burghs Dundee, Montrose, Aberdeen, Peterhead, Banff, Elgin, Inverness, Rosemarky, Tain and Cromarty. The expedition was afterwards prorogued till 1st July, and included forces from the whole kingdom, the place of meeting, Trotternish, and the date of rendezvous, 24th July. The expedition was successful.

1608, May 20th.—Commissioners appointed for fixing the prices of boots and shoes twice a year all over Scotland. Commissioners for the burgh of Elgin: Nicolas Dunbar of Bogis and Johnne Innes of Leuchairis.

1608, November 4th.—Alexander Innes of Coittis for John Innes of Leuchairis, £1000, not to harm Mr. Alex^r. Hay, Lord of Foistersait, conform to the king's letters, dated at Edinburgh, 8th August, 1608. The band written by Nicolas Dunbar in Elgin. Subscribed at Elgin before John Leslie, burgess of Elgin, George Cumming, burgess there, N. P., etc.

1608, November 23rd.—John Innes of Lewcheoris for Alexander Innes of Coitis, £1000, not to harm Mr. Alexander Hay, Lord of Foistersait. The band written by Andro Innes, writer in Elgin, and subscribed at Elgin before George Cuming and George Annand, notaries.

1608, December 15th.—Hutcheoun Calder, burgess of Narne, for Mr. Alexander Hay of Forresterseat (my Lord of Forresterseate), one of the Senators of the College of Justice, £1000, not to harm John Innes of Lewcharis or Alexander Innes of Cottis.

1609, April 18th.—Mr. Thomas Annande of Glasgrene for William Cuming, fiar of Ernesyde, 2000 merks, not to harm Mr. James Dundas, chantor of Murray, conform to the charge given to him of date 20th February last. The band written by Mr. William Annand, son of the surety, and subscribed at Elgin.

1609, May 4th.—Alexander Gordon of Oxhill for James Petrie, elder, merchant burgess in Elgin, 400 merks, not to harm Isobell Cuming in the College of Elgin. Subscribed at Elgin.

1609, June 30th.—James Petrie, elder, burgess of Elgin, for James Petrie, y^r., burgess there, 400 merks, not to harm Isobell Cuming. Subscribed before John Leslie and Alexander Innes, burgesses in Elgin, and Mr. John Stewart, master of the Grammar School there.

1609, July 12th.—Alexander Gordon of Oxhill for James Petrie, elder, merchant burgess in Elgin, James, Robert, John and Alexander Petries, his sons, 400 merks each, not to harm Issobel Cuming in the College of Elgin, Marjorie Johnnstoun, her daughter, spouse of George Cuming, burgess of Elgin, John Cuming, son of the said George, James Johnestoun, son natural of Stephane Johnestoun in Elgin, Janet Hay, daughter of the late Thomas Hay, merchant burgess in Elgin, or

Stephane Johnestoun in Elgin. Alexander Gordon of Oxhill for Patrick Gibsoun of Sheriffmill, 400 merks, to same effect.

1609, November 2nd.—The Commission of the Convention of Estates in May, 1608, to the magistrates of burghs and to certain gentlemen associated with them for fixing the prices of boots and shoes having by negligence of said commissioners had little or no effect anywhere, so that "the extraordinair and schameles derth of bootis and shoone is not onlie of continewance bot daylie ryseis to heicher priceis, the grite hurt of all ranks and degreis of personis, especialie of the poor people and servandis whose haill waigeis in a yeir will scairs be sufficient to furneis thame bootis and shoone," the Commissioners are charged to report to the Council within twenty days under pain of rebellion.

1609, November 27th.—George Brody of Unthank for Mr. Gawin Douglas, burgess of Elgin, £500, not to harm William Hay of Mayne, conform to the king's letters, dated at Perth, 26th September, 1604. The band, registered by Mr. Thomas Nicolsoun, advocate, is registered at Elgin, 15th November, before Alexander Brodie, son of David Brodie of that ilk, Mr. David Philp, preacher of the Holy Gospel at Elgin, etc.

1610, December 13th.—Act of Caution. James Douglas of Barflethills for the reverend father in God, Alexander, Bishop of Murray, 2000 merks, not to harm William Hay of Mayne, conform to the king's letters, dated at Perth, 26th September, 1604. The band, registered by Mr. Johnne Dempstar, advocate, and written by Mr. Patrick Dunbar, parson of Duffus, is subscribed at Elgin, 28th November, before Mr. Johnne Douglas, clerk to the Commissariat "seate" of Elgin, Mr. David Philp, minister at Elgin, and Robert Leslie and Walter Smyth, messingers.

1611, May 3rd.—Act of Caution. Alexander, by the mercy of God, Bishop of Murray, for Mr. Gawin Douglas, burgess of Elgin, £500, not to harm Robert Hay, writer in Edinburgh, conform to the king's letters, dated at Edinburgh, 31st August, 1610. The band registered by Mr. Thomas Mawer, advocate, and written by William Thome, N. P. in Elgin, is subscribed at Elgin, 26th April, before Mr. David Philp, minister of God's evangel at Elgin, Robert Leslie, servitor to the said Bishop, Mr. Johnne Douglas, clerk of the commissariot of Murray, and the said writer hereof.

1611, June 11th.—Ane commissioun to the Bishop of Murray and utheris aganis ane witche: Marioun Tailyeour in and Marjorie

Order Pot

Mongomerie in within the country of Murray having been examined before Alexander, Bishop of Murray, and the other brethren of the presbytery of Elgin, as suspected of the "detestable crymes of witchcraft, sorcerie, inchantment and utheris divilishe practizes frequentlie committit be thame upoun mony our good subjectis," and it having clearly appeared to the said judges that they are guilty of the said crimes, and also that by reason of their "bigane oversicht and impunitie" they still continue in "geving thair wicked consultationis and divilishe charmes to the poor ignorant people" as a certificate subscribed by the said Bishop and a majority of the said presbytery, shown to the Council bears,—there is commission under the signet, subscribed by the Chancellor, St. Androis, Mar, Glencarne, Abercorne and Lotheane to Alexander, Bishop of Murray, Thomas Urquhart of Cromartie, Jhone Urquhart of Cragstoun, tutor of Cromartie, Johnne Gordoun of Buckie, sheriff depute of Invernes and Johnne Innes of Leucharis, balie of the said Bishop, to apprehend the defenders, try them by assize in a Court of Justiciary to be appointed by them, and administer justice on them, as they shall be found guilty or innocent.

1611, July 29th.—Act of Caution. James Dumbar, merchant burgess of Elgin for Alexander Dumbar of Hill, 1000 merks, not to harm Rorie McKenzie of Cogache. The band registered by Mr. Umphra Blinsele, advocate, and written by Johne Dumbar N.P. is subscribed at Elgin, 25th July, before James Dumbar, burges there, Johnne Dasoun, there, and James Leslie and Alexander Mylne writers there,—Johnne Dumbar and George Sutherland, notaries, subscribing for the said principal.

1611, September 27th.—Johnne Sutherland, a notorious vagabond, who had often escaped furth of the tolbooth of Elgin, wherein he was warded for acts of theft, having been on instant again imprisoned in the said tolbooth by the provost and baillies of the burgh of Elgin for the many thefts committed by him at night within the said burgh on divers good subjects, commission under the signet, subscribed by the Chancellor, Glencarne, Glasgow, Lotheane and Scone is given to Sutherland of Duffus, Johnne Innes of Leucharis, Patrik Dunbar of Conzie, and the provost and bailies of Elgin, or any of these persons, with the said magistrates, to try the said Sutherland by an assize and minister justice on him.

1612, August 21st.—Some trouble having fallen out upon 25th J last, being the market day of Elgin, between Johnne Hay, sometim Urknay and Hew Hay, his son, on the one part and James, Niniane a Robert Dunbaris, sons of Williame Dunbar of Hemprigis and Jar Dunbar, son of Gavin Dunbar, archdeacon of Murray, on the other pa these persons had been called before the Justices of Peace within t shire of Murray, and after due trial had been found guilty of breach the peace. Accordingly they had been severally fined proportionally their ranks and ordained to find caution for keeping the peace *hinc inc* and to remain in ward till they paid the fines and found the cautio Now while Johnne and Hew Hay had obeyed the said sentence, th other party had "proudlie" refused to give their obedience, and ha broken their ward furth of the tolbooth of Elgin and escaped. There i order therefore to charge the said persons at their dwelling places, i they any have, and by open proclamation at the market crosses of Elgir and Forres to enter in ward in the tolbooth of Elgin within three days after the charge, under pain of rebellion, with order to charge all judges and ministers of the law within whose bounds the said malefactors reside to apprehend them and enter them in the tolbooth of Elgin.

1617, March 5th.—The burgh of Elgin was represented in the Convention of Estates, held at Edinburgh, by James Rutherfurde when a vote was made of a taxation for his Majesty's expenses in his approaching visit to Scotland. The Burghs paid £33,333 6s. 8d.; the Barony Freeholders and Feuars of Royal Lands £66,666 13s. 4d., and the Spiritual Estate £100,000.

1617, June 12th.—Complaint by John Gordon, apparent of Sudraw, that John Dunbar of Westfield, sheriff of Moray, remains unrelaxed from a horning of 15th February last for not paying £339 to pursuer. Defender not appearing, there is order to the Captain of the Guard to apprehend defender, seize his houses and inventory his goods for the king's use.

Thos. Grant of Cardails and his son against the sheriff of Moray and his deputes for not doing the duty of their offices against Thos. Grant in Daltaleis charged with assault on the principal pursuer and with the murder of his son, Patrick: defenders assoilzed.

Edinburgh, 5th February, 1618.—Complaint by Thomas Grant of Cardaillis, Johnne Grant, his son, and the King's Advocate, as follows:—

On 11th November last the said laird and his late son, Patrik, were set upon within the burgh of Elgin by Thomas Grant in Daltaleis and armed accomplices. The said Thomas was struck "throw the craig with a rapper," and was so wounded that "nothing bot death is expectit." Defender also "ran the said umquhill Patrik throw the bellie with his rapper." After the murder he was arrested by the sheriff-depute of Elgin,—"the said schireff-principall being within the said burgh for the tyme,"—and was committed to the tolbooth, where he still remains. Pursuer and his friends dealt with Johnne Dunbar of Westfeild, sheriff of Murray, to minister justice in this case; but the said sheriff excused himself "as not being able to sit in judgement, inrespect of divers hornings quhilkis he undirlay,—ane exceptioun proponit and alledgeit be him selff to convince him of ane unexcusable wrong and neglect of dewtie by his refusaill and denyall of justice unto the saidis complenairis, and to argue aganis him his incapabilitie and unworthienes of that chairge and office quhilkis he haldis of his Majestie." Pursuers thereupon addressed themselves to the deputes,—viz., Williame Torrie, burgess of Elgin, and Chairlis Reid, burgess of Forres. "Thay conferring and adviseing thairupoun with the principall schireff, it wes aggreit amongis thame that, for eschewing of ane publict and manifest imputatioun of refusall of judgement, thay sould fense ane courte, entir the criminall upoun pannell, and seame willing to do justice, and that notwithstanding thay sould admit ony kynd of declinatoure that sould be proponit aganis thame. Quhilk wes accordinglie done, insofer as, the courte being fensit and the pairteis in judgement, it wes objectit aganis William Torrie that he stood within feird and fourtis of kin to the persewair. Whairupoun he removit him selff, althocht he wes within a degrie narrer of kin to the pannell, and in all dewteis of leve, kyndnes, and freindschip wes more addictit to the pannell nor to the persewair. And, it being objectit aganis the other depute that he wes not lauchfullie electit, chosin, and sworne to that office, he thairupoun declynit him self, althocht in his awne conscience he knew his admissioun in all circumstanceis to be lauchfull and formall." Defenders have therefore incurred the penalties of an Act of Parliament.—Pursuers appearing personally, and having passed from "that pointe of this summondis *pro loco et tempore* tuitcheing the decerning of the said schireff and his said depute to tyne thair officeis," and insisted only on the exhibition of Thomas Grant, and the

said Johnne Dumbar appearing for himself and his said depute and exhibiting the said Thomas, the pursuers crave that "seing the said Thomas Grant wes tane *flagranti crimine* and reid hand," and that February instant was fixed for his trial before the Justice, he ought to be committed to the Tolbooth of Edinburgh in the meantime. The said Thomas answers that he ought not to be detained, because he had found caution for his appearance, and because "being undir band and promeis to the said schireff to entir him for his releif quhenevir he sould be chairget for him, he freelie and willinglie enterit him self to the said schireff how soone he undirstood that the said schireff wes burdynit to exhibite him, and that he is to come heir of his awne accord with the said schireff to present him self to his tryall." The Lords find that the said Thomas ought not to be detained, because he has not only found the said former caution, but also by their direction new caution in 2000 merks. They also find that the sheriff has satisfied the charge anent the exhibition of the said Thomas, and accordingly exoner him by these presents.

Wm. Hay of Mayne and others against Grant of Ballindallach and a number of others for illegal convocation in arms, riot and assault in Elgin.

Edinburgh, 5th February, 1618.—Complaint by the King's Advocate, William Hay of Mayne, Jeane Grant, his spouse, and Frances Hay, their son, as follows: On November last, Patrik Grant of Ballandallach, James Grant of Dalvey, Johnne Grant in Lethindye, Robert Grant, his brother, William Grant in Tulchen, Patrik and Robert Kynnaird of Glenlattrothe, James Kynnaird in Quhytwrey, Johnne Grant, apparent of Cardaillis, Harie Stewart, his servitor, Thomas Hardy, burgess of Elgin, Alexander Innes, son of McTarie there, Angus Gow in Skyravie, Robert Stewart, brother of Kilmachlane, Thomas Narne in Lethnitie, Arthour Stewart there, Patrik Grant in Skyravie, Patrik Grant in Dalnapoit, Robert Moir in Petcroy, William McInnes there, Robert McRobert there, Patrik McCondochie Roy there, James Thomesoun, burgess of Elgin, and others, to the number of 100 persons, all armed with "bowis, durkis, swerdis, Lochaber aixes, malyie coittis, Jedburgh staulffis, halbertis," and also with guns, hagbuts and pistollets, went to the said William's "house or chalmer within the burgh of Elgin," entered

the same violently, searched for the said Frances, and "stoggit the haill beddis" in their desire to get at him. Missing the said Frances, who had escaped by a private passage, they set upon his mother, "trampit and tred hir undir thair feit" and wounded her severely.—The Lord Advocate appearing, and the said Frances appearing for himself and other pursuers, and the said Patrik Kynnaird, and Johnne Grant, apparent of Cardaillis, being present, but the other defenders not answering the summons, the Lords assoilzie the said Patrik Kynnaird and Johnne Grant because they have denied the charge on oath; and they order the absentee defenders to be denounced rebels."

William Aysoun, burgess of Elgin, against George Sutherland, sheriff-clerk of Elgin and Forres, for extortionate overcharge for a copy of a legal paper, and for continued vexation of the pursuer for his declining to pay the sum demanded: complaint found proven, and defendant committed to ward, and deprived of his office.

"Edinburgh, 17th February, 1618.—Complaint by William Eysoun, burgess of Elgine, as follows: George Sutherland, sheriff-clerk of Elgin and Forres, in contravention of the acts anent the fees of clerks and writers, made a charge, in the year 1615, of £30 and 1 boll of malt for 'ane litle act and rolment of courte, contening ane obsolvitour frome ane blood, extractit be him unto the said complenair,—quhilk contenit not abone half ane through of paper. And, becaus the said complenair with verie good reasoun repynnit some thing at this schamles and extraordinair price for writing of half ane through of paper, being verie willing notwithstanding to pay him sax tymes mair nor the saidis Lordis be thair ordinance had appointit and set doun, he thairfore consavit ane grite haitrent, grudge and miscontentment aganis the said complenair. And, althocht he nevir maid promeis nor conditioun to him be worde nor write of the said sowme, yit verie unlauchfullie and unformalie he callit and convenit the said complenair in a schireff courte, quhairin him selff sat as judge and clerke, and he took a decrite to him selff aganis the said complenair for payment of the said sowme, and committit him to waird within the Tolbuith of Elgin for the same, quhairin he detenit him a lang tyme, and hes haldin the said complenair in continewall tormoyle, trouble, and faschrie for that caus almaist thir tua yeiris bigane, sometymes by arreisting and poinding of the said complenairis geir, and

sometymes by wairding of his persone, quhairby he hes drevin the said complenair, who sometymes wes ane honnest man, to the extreame poynte of miserie and pouirtie.' Both parties appearing, the Lords find the charge proven. They order defender to pay £30 to pursuer, and to be detained in the Tolbooth of Edinburgh during their pleasure. Further, they deprive him of his clerkship of Elgin and Forres, and of his office of notary."

1618, August 19th.—Patrick Dunbar of Westerton complains against John Dunbar of Westfield, Sheriff of Moray and others for continued persecution and molestation "with horrible aitheis he avowit that he sould haif his (Patrick Dunbar's) lyff the first tyme he saw him." Defenders deny on oath but the Lords order the Sheriff to find law surety in 3000 merks.

Edinburgh, 15th December, 1618.—Complaint by Williame Eysoun in Weeke against the provost and bailies of the burgh of Elgin, James Douglas, nephew of Alexander, Bishop of Murray, and Robert Dumbar, burgess of Elgin, that he has been wrongfully committed to the tolbooth of Elgin at the instance of the said James Douglas and Robert Dumbar.—Williame Mortymer, burgess of Elgin, appearing for defenders, and giving in a copy of the principal letters, and Johne Sutherland, servitor of pursuer, appearing for pursuer, the latter declared that, he being directit to this burgh be his said maister with the principall letteris to have bene gevin in before the saidis Lordis and with sindrie utheris letteris and writtis concerning his said maister, and being come agaitward to the burgh of Bruntiland upoun the day of December instant, quhair he ludgeit that nicht in Johnne Harrowaris house, one Thomas Grant, servitor to Johne Grant, quha is servitor to the laird of Mayne and quho ludgeit that nicht with the said Johnne Sutherland and lay in bed with him, tooke his haill letteris fra him quhenas he wes sleipand in his bed, and careyed the same to the said Johnne Grant, his maister; and that, he haveing mist his letteris in the moirning, and haveing tryed that the said Thomas Grant raise about midnicht and past to the said Johnne Grant, his maister, quhair he wes ludgeit in Johnne Murrayis house in Bruntiland, and stayed with him ane houre or thairby, the said Johnne Sutherland went to the said Johnne Grant and complenit to him of the injurie and wrong done to him be his servand. He boisted the said Johnne Sutherland, threatning to lay him faster nor his maister wer

layde." The Lords understanding that the said Johnne Sutherland has been "craftelie circumvenit and noting that defenders have neither appeared personally nor exhihited pursuer, order the said magistrates to liberate pursuer under pain of rebellion."

1619, July 1st.—Alexander Anderson in Incharnoch against Robert Gibson, burgess of Elgin, and another for suspension of horning: Complaint by Alexander Anderson in Inchirnothe that he has been denounced rebel at the instance of Robert Gibsoun, burgess of Elgin, and [William] Duncan, tenants for the time of Sir John Seytoun of Bairnis, and of Sir John as their master, for not appearing to answer "tuitcheing his alledgeit comeing to the said Sir Johnne his saidis tennentis thair dwelling houss and thair searcheing, seiking and invading thame" in manner stated in the letters of horning; in consequence of which he was, a long time ago, taken and imprisoned in the Tolbooth of Elgin, where he is still detained. He objects that he never was laufully charged to compear, as, had he been so, he would have appeared and proved his innocence, and that he had found caution of 300 merks to answer on 25th March next and had offered 20 merks for his escheat. He craves that the process be suspended.—Charge had been given to the said Robert Gibson and William Duncan in Incharnoch to appear; and both parties now appearing, the pursuer personally and Robert Gibson for himself and the said Duncan, and the letters being produced, bearing that the pursuer upon 20th July, 1617, came "be way of hamesucken disagwysit in weymenis clothes undir cloud and silence of nicht" to William Duncan's house in Inchernoch, broke the doors, entered with a drawn sword in his hand, and chased Gibson and Duncan through the house to kill them, but being disappointed "brak doun the said William Duncanes wyndois, tymmer worke and haill guidis and geir being within his house and kaist the same oute at the durris" the Lords assoilzie Alexander Anderson, because, the complaint being referred to his oath of verity, he has denied the charge. The letters are accordingly suspended.

1620, August 23rd.—Protest for the Provost and Bailies of Elgin against a suspension of horning executed at their instance against the Magistrates and Community of Forres. Robert Hay, writer in Edinburgh, appears as procurator for the provost and bailies of the burgh of Elgin, and produces copy letters of suspension raised by the provost, bailies and community of the burgh of Forres, charging the provost and

bailies of Elgin to appear and show cause against suspension horning by them against the burgh of Forres in which the inhabitar Forres were declared to have "bocht and ressavit fra the saidis pr and bailleis of Elgin the firlott, peck and half thairof, and to have the samyn in buying, selling, ressaveing and deliverie of thair victu The burgh of Forres not appearing, the said Robert Hay protests the suspension shall not take effect, and that the letters of horning ou to be put to execution against the said burgh of Forres; which pro the Lordis admit, ordering letters to be directed accordingly.

1621, February 1st.—*Robert Gibson, burgess of Elgin, against Ro Martin for assault.* Complaint by Robert Gibsoun, burgess of El that on the day of , while he was walking quietly up the "gait" of Elgin, Robert Mairtene, burgess of that burgh, came w a drawn dirk in his hand behind the complainer's back, "gaif him a straik throw his clock," hurt and wounded him, and would have sla him had he not escaped.—Both parties appearing personally, the Lor find the defender guilty, and order him to be committed to ward in t Tolbooth of Edinburgh.

1621, April 25th.—*Thomas Wentoun, merchant burgess of Edinburg against James Garden and Thomas Kinnaird for assaulting him in Elgi* Complaint by Thomas Wentoun, merchant burgess of Edinburgh, a follows: On 7th February last, while he was on the high street of th burgh of Elgin about his lawful business, James Gairdyne and Thomas Kynnaird, burgesses of Elgin, both armed, fiercely set upon him, hurt and wounded him in sundry parts of his body, and would have slain him had he not escaped. They also "reft frome him his purse with the sowme of tua hundreth merkis thairintill, togidder with the hingaris and skabbert of his sword, and keepis the same from him as yitt." Pursuer appearing personally, and the defenders not appearing, the Lords find them guilty as libelled, and order them to enter themselves in ward in the Tolbooth of Edinburgh within fifteen days on pain of horning.

1621, August 7th, Edinburgh.—*Caution for Robert Innes not to molest Marion Strachan or John Dunbar, burgess of Elgin.* This day Mr. Robert Case, advocate, as procurator for principal and cautioner, registers a bond by Robert Innes, lawful son to Alexander Innes of Coittis, and with him George Gordoun of Geycht, as cautioner, that he shall not

molest Marioun Strachane, relict of Johnne Innes of Leucharis and Johnne Dunbar, notary public of Elgin, nor their families, &c., under the pain of 500 merks.

1621, December 13th.—Act providing for the due collection in Morayshire, where the office of Sheriff is at present virtually vacant, of the Taxation voted to the king by the late Parliament. The Three Estates in his Majesty's Parliament held at Edinburgh, August, 1621, did grant unto his Majesty for the next four years a taxation of "the tuentie penny of all annualrentis," "and quhairas the Lordis of his Majesteis Previe Counsell understandis that David Kinloch, burges of Edinburgh, hes apprised fra Dunbar of , lait Schireff of Elgin and Fores, the office of Schirefship of the said Schirefdome, and that the said David Kinloche notwithstanding thairof hes not as yitt come in possessioun of the said office," therefore James Rutherfoorde, provost of Elgin, and James Law, late shireff clerk of Elgin and Forres, are appointed to collect said taxation.

1622, January 8th.—*Commission of the Sheriffship of Elgin and Forres to Lord Lovat, that Sheriffship having been virtually vacant since the death of the late Sheriff, John Dunbar of Westfield.* "Forsamekle as it is understand to the Lordis of Secreit Counsell that the office of schirefship of the schirefdome of Elgin and Foress hes bene thir divers yeiris bigane voyd and vacand and the administratioun of justice to his Majesteis subjectis within the said schirefdome hes altogidder ceast and beene neglectit, pairtlie through deceis of umquhill Johnne Dunbar of Westfield, late schireff of the said schirefdome, and pairtlie upoun occasioun of ane pretendit appryseing of the said office led and deduceit by David Kinloche, merchant burges of Edinburgh, who being a persone altogidder unfitt and uncapable of suche a charge and burdyne, and being conscious to him selff of his awne waiknes and insufficiencie, he hes wyislie foirborne to medle thairwith or to undertak a charge quhair by be his insufficiencie to discharge the same he wald procure contempt and discredite, sua that the course of justice within that schirefdome is interruptit and shaikin lowse, his Majesteis goode subjectis ar havelie interest and prejudgeit, malefactouris are overseene, and evill disposit personis takis bauldnes without controlment to offend at thair pleasour, and with that his Majesteis awne affairis and service bothe in his taxationis and otherwayes, quhairof the directioun and executioun

pertenis to the schireff, ar frustrat and hinderit; and the saidis Lordis foirseeing that it is a mater towcheing thame in honnour and justice and in thair dewitie and alledgeance to his Majestie not to suffer suche a pairt of the kingdome, so weele repleneist with grite nomberis of his Majesteis goode subjectis of all rankis and qualityis, to be sa lang voyde of governament and ordour; and understanding the worthie and honnourable dispositioun of Symon, Lord Frasair of Lovatt, towards the furtherance and advancement of justice and his goode affectioun to serve his Majestie in ony charge salbe layed upoun him:" thairfore his Majesty appoints the said Lord Shereff Principal of Elgin and Forres.

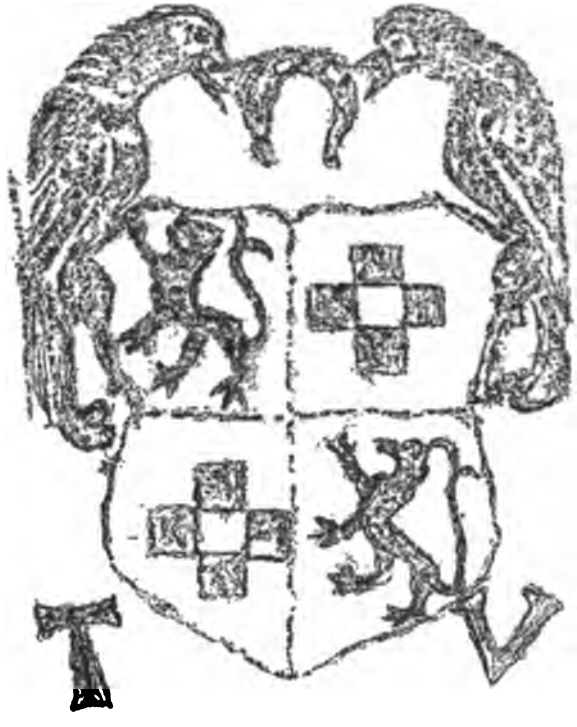
1623, March 6th.—Complaint by Robert Innes of that ilk against Thomas Innes of Paithnick. On 3rd June last Thomas Innes of Paithnik came to the town of Elgin, where Robert Innes was for the time, "and curiouslie tryit quhat tyme the said Robert wes to remove af the town," while he also had "a spye at the said Robert his stable doore to gif notice unto him of the drawing of his horsse and quhat way [he] tooke to go out of the town." The spy having "followit his directioun," Thomas Innes, with George and James Gordoun, sons of John Gordoun of Auchannachie, . King, son-in-law of the said John Gordoun, and John Tulloch, servitor to Innes, each wearing a pair of pistols, besides other armour, went "to ane narrow vennall by the quhilk the said Robert Innes wes to go out of the town." There they set upon him unawares with "drawne swordis and bendit pistolles in thair hand and with a sword thay gaif Thomas Innes, servand to the said Robert, a most cruell and deadlie wound athorte his whole bak, sua that thair is no appearance of lyff for him. And every one of thame after ane uther presentit ane bendit pistollett to the said Robert his breast, of purpois to have schoitt him thairwith"; and this they would have done had he not "dang the pistollettis out of thair handis, of the quhilkis pistollettis he at that same time tooke four from thame." The pursuer appearing personally and Thomas Innes of Pethnik appearing by Roger Mowat, who excuses his absence on account of sickness while the other defenders do not appear, the Lords find the defenders (except John Tulloch) guilty, and order them to be charged to enter the Tolbooth of Edinburgh within fifteen days, there to remain till further order be taken with them. John Tulloch is assolzied for want of proof."

1623, March 13th.—Re-appointment of Lord Fraser of Lovat to the

Sheriffship of Elgin and Forres, the former commission having expired. This new commission to last till 1st August, 1625.

1624, June 10th.—Punishment of William Rig, bailie of Edinburgh, John Hamilton, apothecary, John Mein, merchant, John Dickson, flesher, and William Simson, vintner, burgesses of Edinburgh, for their impugning of the doctrine of Dr. Forbes, and their opposition generally to the discipline of the church. The Lords found that John Mein, with others, urged ministers to celebrate the communion contrary to the received order of the Church and the public law of the kingdom, "and ordanis the said Johne to be confynned within the burgh of Elgine, and to mak his address thair within tuentie dayis nixt after the dait heirof." —June 24th. John Mean, seeing that his trade will be undone and his poor family suffer, supplicates the Lords "to releeve him of his confyneing and he will promeis nevir to medle in thir churche materis heirafter." The Lords prorogate the commencement of his sentence for twenty days that in the meantime he may deal with the ministers of Edinburgh and give them satisfaction, and thereby get them to intercede with the Lords in his behalf.—July 1st. John Mean and the others tried along with him are declared incapable of any public charge in the kirk or town hereafter.—December 15th. He is granted permission to return to Edinburgh to secure his family against the plague, and to remain there till 15th January.

1625, January 11th.—John Mean's supplication: "After his long confyneing within the burgh of Elgyne . . . he maid his addres heir with the grite hasaird and perrill of his lyffe, not onlie in respect of the way, whilk in a maner wes not possible for men nor horse, bot speciallie seing ludgeing wes refuisit him in all parts quhair he come, and if he had not come from the north he had never gottin ane house to set his head in, and if he goe bak thair agane he may resolve never to be admittit in ane house be the way." He prays for an extension of grace also on the ground of his wife's delicate health. The Lords grant an extension of eight days.—January 18th. On his petition an extension of fifteen days in Edinburgh is granted, he pleading the state of his wife's health, his numerous family and the troubles of one travelling from a place reported to have plague. Thereafter extension was granted from time to time till 30th March.



Shield at Greyfriars.

REFERENCES TO ELGIN IN THE REGISTER OF THE GREAT SEAL (1565-1649).

1565-1572. The names and annual value of the lands and barony of Kilmalammok: (a) Petgowny (£16, 8 dozen capons, 8 dozen poultry, 8 dozen chickens, 1 chalder custom oats, £16 grassum every third year); (b) Barflathills (£13 6s. 8d., 4 dozen capons, 20 merks grassum every third year); (c) Over Barflathills (£10 13s. 4d., 12 poultry, £10 13s. 4d. grassum every third year); (d) and (e) Dunkyntie and Frostersait (2 chalders bear each); (f) Hauchis of Barflathills (32 merks); (g) Sanctandrois-Kirktoun with Kirkhill (3 chalders bear); and (h) Scottistounhill (1 chalder bear). The value of bear is given at 2 merks per boll, meal 20s. per boll, custom oats 13s. 4d. per boll, salmon £10 per barrel, wedders 13s. 4d. a piece, capons 2s. a piece, poultry 12d. a piece, chickens 6d. a piece, butter 18s. per stone, and peats 4d. per load.

1577, April 24th.—The king confirmed a charter of Gavin Dunbar, archdean of Moray, by which with consent of George, Bishop of Moray, and the dean and canons thereof, for a large sum of money paid to him for repair to the churches of Fores and Edinkelye he set in feu-farm to John Gibson, rector of Unthank, in life rent and William Gibson his son, cousin of the said Gavin, the lands and crofts lying between the crofts of the canons of Moray. One of the crofts lay between the croft of the rectory or prebend of Croy on the east and the croft of the rectory of Kynnoir on the west, extending from the burn of Tayok on the south to Deid Lossy on the north, another lay between the croft of the sub-dean on the east, the Treasurer's crofts on the west extending from the lands of Pannis towards the north to the lands of Mr. Alexander Douglas, then possessed by Thomas Myll, burgess of Elgin, on the south, the third between the croft or tail of the sub-dean on the east, the tail of

the land of the succentor on the west extending from the stone wall which surrounded (circumdedit) the college of the Cathedral Church of Moray on the north to the king's highway at the burgh, and from the burgh of Elgin to the east boundary of said burgh at the south.

1577-8, February 18th.—The king confirmed a charter granted by James, Commendator of Pluscarden and convent thereof, by which for sums of money paid for the repair of his monastery then almost altogether wasted they set in feu-farm to Archibald Douglas of Pettindreich the lands and barony of Pluscarden, including the mill of Monachtie, the mills of Elgin and Mostowie, &c.

1581, December 16th.—The king granted to Patrick, Master of Gray, junior, his heirs and assignees, the lands and barony of Kilmalamok, the town and lands of Foresterseit, the town and lands of Dunkintie, the town and lands of Petgowny, the town and lands of Barnethillis called Cauldhame, the town and lands of Over Barnethillis, with the Hauch thereof, which fell to the king by the forfeiture of Archibald Douglas, formerly of Pettindreich, son natural of the deceased James, formerly Earl of Mortoun, lord of Dalkeith.

1581, December 16th.—Apud Halyruidhous. Rex concessit Patricio, Commendatario de Lundoris, heredibus ejus et assignatis,—edes et habitaculum appellatum *the hous of Pettindreich*, cum horto et pomario, jacen. in burgo de Elgin ex boreali latere vie publice ejusdem (inter terras Wil. Innes burgen. de Elgin, hortos *the Channownis-yairdis*, viam publicam appellatam *the Channonrie-clois*, et communia stagna dicti burgi); que regi devenerunt ob forisfacturam Archibaldi Douglas, olim de Pettindreich, filii naturalis quondam Jacobi, olim comitis de Moirtoun dom. de Dalkeyth. Tenend. in libero burgagio.

1582-3, February 10th.—Apud Halyruidhous. Rex dedit literas legitimationis Alexandro Grant burgensi de Elgin, bastardo, fiilio naturali quondam Simonis Grant in Knokcannoch.

1586, July 14th.—The king confirmed to John Annand of Mureistoun, provost of the burgh of Elgin, and Jonete Cuming, his spouse, a charter of the following lands from William, Bishop of Murray, by which he granted [22nd April, 1480] to the deceased James Falconer the lands of Middillhauch called Moreistoun, between the lands of Francoklaw and the lands of Auchterspyne called Schirefmyll in his barony of Spynie, paying 4s. annually and the wonted multure to the mill of Mallauthy called Bischopmyll.

1586, July 14th.—The king confirmed a charter by the deceased Alexander, Prior of Pluscarden, and his convent, by which they set [8th September, 1570] to William Gaderar, burgess of Elgin, and the deceased Jonet Dunbar, his spouse, the mill of Mullane in the parish of Duppill.

1586, August 13th.—The king confirmed a charter of Patrick, Bishop of Moray, by which for two hundred pounds he set [16th February, 1562] to Alexander Anderson in Wester Alves in life rent and Alexander Anderson his son, burgess of Elgin, in fee, and Bessette Gordoun, his spouse, the town and lands of Inchebrok in the barony and regality of Spynie.

1586, December 8th.—The king confirmed a charter granted by Florence Home, perpetual chaplain of the altar of S. Catherine in the Cathedral Church of Moray by which with consent of Patrick, Bishop of Moray and Commendator of Scone, and the dean and canons of Moray, he set [8th August, 1544] in feu farm for three years to William Gadderar, junior, burgess of Elgin, and Jonet Dumbar, his spouse, the lands or crofts called Sanct-Katreinis croftis on the west side of the crofts of Elgin between the crofts or lands of Robert Innes of Innermarkie the peat moss of the said burgh and the king's highway from the said burgh to Mayne, paying four bolls victual annually.

1587-88, February 7th.—At Holyroodhouse. The king granted letters of legitimation to Agnes Hepburn, bastard, daughter natural of the deceased Patrick, Bishop of Moray.

1590, June 25th.—The king set in feu farm to James Dowglas, son natural of William Douglas, chaplain of St. Laurence, within the Cathedral Church of Moray, his heirs, &c., the manse of said chaplainry founded on the lands of Catboll with houses and garden lying within the college of the Cathedral Church of Moray between the manse of Moy at the east, Lazarus wynd at the west, the king's highway from the burgh of Elgin to Stanecroshill towards the south, and the manse of the chaplain of S. Mary Magdalene within the said church towards the north, paying annually 40s.

1591, July 3rd.—Apud Falkland. Rex, cum consensu etc.—pro bono servitio ad feudifirmam dimisit quotidiano servitori suo Alexandro Younge de Eisterfeild, heredibus ejus et assignatis,—croftam *lie* Ducat-croft (inter terras hospitalis vocat. Manssonedew prope burgum de

Elgin ex occidentali capelle ejusdem),—que ad dictam capellaniam de Mossonedew et Grene prius pertinuit,—croftam de Grene ad ollam Ordinis lie Ordour-pote [adjacentem, inter terras de Droich et viam regiam tenus capella de Grene fundata apud dict. *lie Ordour-pot*] et tunc destructam terrarum tenementa et mansionem Egideii (jacen. inter terras capellanie S. Michaelis, murum lapideum collegii de Elgin, et terras capellanorum de Elgin), necnon terrarum tenementa (inter publicam viam ad Bischop-mylne, terras de Herviishauch, terras burgales de Elgin, terras Jac. Gordoune de Knokaspak, dict. murum lapideum, fines mansionis capellanie Dive Katerine) cum domibus et hortis et croftas vocatas Sanct-Katereiniis-croftis jacen. occidentaliter a loco vocato *the Gray-Freiris of Elgin* (descendendo a publica via ab australi latere burgi de Elgin ad labenam communem) cum columbario venelle Fratrum *the Freir-wynde* de Elgin,—que prius ad capellanos ecclesie cathedralis de Elgin, saltem eorum unum vel plures pertinuerunt,—in territorio burgi de Elgin, vic. de Murray:—Reddend. pro qualibet crofta 4 bollas ordei (vel. 6 sol. 8 den. pro qualibet bolla), pro tenementis etc. 26 sol. 8 den., [firme antique, et 6 sol. 8 den.] augmentationis; necnon duplicando feudifirmam in introitu heredum."

1591-2, Jauuary 25th.—The king set in feu-farm to John Hamilton in Auchriggis, his heirs &c. (1) the lands of Hervinshauch on the north side of the burgh of Elgin (between the burgh lands, the water of Lossie, Carsmenis-wynde and the vennel from the College of Moray to said water); (2) the Vicar's croft of Elgin lying among the other crofts of the canons of Moray (between the croft of the rector of Abirlour, Baxter's croft, the water of Lossy and the lands of the Blessed Virgin Mary, alias the Lady of Greine) in the regality of Spynie; and (3) the manse, garden and tails of said vicarage on the north side of the burgh of Elgin (between the lands of the deceased John Robertson, merchant burgess of Elgin, the lands of the heirs of the deceased Robert Mawer and said water); all which were formerly part of the temporality of the vicarage of Elgin: Paying for Hervinshauc two chalders victual (or twelve merks each chalder), for croft and manse 40 shillings old ferm and 40 pence augmentation, and doubling of feu ferm at entry of heirs.

1592, June 10th.—Apud Halyrudehous. Rex,—quia per actum commissariorum burgorum conventionis tente apud Monros, 16 Jun. 1591, statutum est quod prepositus, ballivi &c. burgorum locarent in

feudifirmam burgensibus suis terras suas communes, et quod regis autoritas interponeretur,—ordinavit prepositum et ballivos Burgi de Elgin cum consensu concilii et communitatis dicti burgi, assedare et in feudifirmam locare burgensibus dicti burgi, eorum heredibus et assignatis, —terras communes dicti burgi, pro tali gressuma, annuo redditu et augmentatione que de eisdem extorqueri possent; et ratificavit omnia infeofamenta per eos desuper facta et facienda.

1594-5, March 22nd.—"Apud Halyrudhous. Rex,—quia OPPIDUM DE ELGIN in burgum regium antiquitus est erectum, atque in fundo procul ab ullo idoneo portu situm extitit, nullumque aut parvum commercium multis annis elapsis habuerat, eaque occasione, ac civili tumultu ibi nuper grassante, burgenses eo paupertatis reducti sunt quod rex commodum nullum ex eorum custumis reciperet, &c.,—ratificavit omnes concessiones per se aut suos predecessores dicto burgo factas, et presertim de terris de Mostolly, Dovelegrene, Glasgrene, cum *lie Greisschip* et marresiis de Strakaynt, cum libero introitu ad portus de Lossy et Spey, custumis, devoriis anchorariis aliisque privilegiis consuetis, ac nundinis in dicto burgo observat., cum theloniis &c.; necnon omnia infeofamenta per prepositum &c., quibuscunque personis concessa de terris &c. dicti burgi: ULTERIUS de novo dedit dicto burgo, ejus preposito, ballivis, consulibus et communitati, eorumque successoribus,—dictum burgum de Elgin cum ejus terris &c., presertim Mostolly &c. (*ut sup.*) cum dictis portubus de Lossy et Spey, et cum ceteris portubus, porticulis et *crekis* inter aquas de Spay et Findorne ubi navis, cimba levis, scapha aut quodcunque aliud vas hujus generis recipi posset; cum potestate portus edificandi &c., et liberas nundinas consuetas tenendi, et alias nundinas prout eis videretur expediens statuendi; tholonias levandi &c. (nec liceret fora publica aut nundinas apud ecclesias parochiales, capellas aut alibi infra 4 miliaria dicto burgo adjacentia tenere, sed quod bona infra dictas bondas solvi solita ad dictum burgum portarent et venderent custumasque solverent);—ac cum potestate burgensibus prepositum, ballivos, thesaurarium, gilde decanum, consules &c., eligendi, leges pro boni ordinis observatione statuendi, liberos burgenses per consules et gilde decanum creandi; cum potestate suffarcinandi et decortandi *lie to pak* et *peill*, emendi et vendendi &c.; cum potestate terras dicti burgi in feudifirma sive alias disponendi, resignationes recipiendi &c.: IN SUPER rex,—quia hospitale *lie massindew* apud dict. burgum fundatum extitit

ad alendas quasdem indigentes personas ad exercendos quosdam superstitiosos ritus tunc verbo divino et legibus regni abolitos; et nihilominus terre et redditus dicti hospitalis a tempore reformationis religionis ad usus particulares quorundam hominum applicati erant absque respectu habito ad dictos pauperes aut ecclesie servitia aliosque pios usus,—concessit dictis preposito &c.—dictum hospitale, et preceptoriam et jus patronatus ejusdem, cum terris &c.; cum potestate preceptoris officium ludimagistro idoneo ad docendam musicam aliasque artes liberales infra dict. burgum (qui magister in officiis ecclesie prout eis videretur expediens servire teneretur) concedendi, pauperesque quoti in prima fundatione statuti sunt imponendi; cum potestate dictis preposito &c. prosequendi pro reductione infeofamentorum, assedationum &c. de possessionibus predicti hospitalis: REDDEND. servitium burgi debitum et consuet.; et pro hospitali sustinendo ludimagistrum et pauperes secundum consuetudinem ejusdem."

1595, June 18th.—The king granted to George Annand, son of John Annand, provost of the burgh of Elgin, his heirs and assignees, two perticates of land and houses standing thereon, lying adjacent within the burgh of Elgin on the north part of the king's highway (between the lands of Alexander Bayne, burgess of Elgin, the lands of Beroald Collie, and the path called the Derne-rod, leading from the said burgh to the cathedral church of Murray) which fell to the king on the death of Sir James Dowglas, chaplain of said church, bastard;—To be held in free burgage.

1596, August 13th.—The king granted letters of remission to James Law, messenger in Elgin, to last for his lifetime for his being art and part in the slaughter of William Taylor in Elgin.

1610, January 9th.—The king granted letters of remission to James Mawer in Dallaquhy, to last for his life, for the unpremeditated slaughter of John Jameson, burgess of Elgin, in the month of October, 1605.

1619, October 6th.—The king granted to David Kinloche, merchant burgess of Edinburgh, his heirs and assignees, whatsomever, redeemable within seven years, certain lands in the barony of Moynes, also the town and lands of Westfield, the office of Sheriff of Elgin and Forres, the castle of Forres, &c., which pertained to John Dunbar of Westfield, and were appreciated by the said John and Elizabeth Fraser, his spouse, for 9820 merks due to the said David, on certain conditions and reserving half of Westfield to Mr. James Nicoll, merchant burgess of Edinburgh.

1638, January 16th.—The king granted to Alexander Dunbar, son of the deceased John Dunbar of Westfield, the office of Sheriff of Elgin and Forres and the Castlehill of Forres which Mr. Robert Balcanquell, minister at Tranent, and Mr. Alexander Paterson, apothecary burgess of Edinburgh, with consent of Robert Dunbar of Burgie and Mr. Gavin Dunbar, chantor of Murray, resigned for new infeftment to Alexander Dunbar.

1641, 15th November.—"Apud Halyruidhous. REX,—cum consensu &c.—concessit preposito, ballivis, consulibus et communitati BURGI DE ELGIN in Murray, et eorum successoribus,—terras de Glasgrein, intra libertatem et territorium dicti burgi, vic. de Elgin et Forres;—quas iidem prepositus &c. resignaverunt, instrumentis captis in manibus M. Willelmi Hendersoun notarii publici:—INSUPER rex,—quia ecclesia de Elgyne, que fuit ecclesia cathedralis Moraviensis et cujus cure Jo. novissimus episcopus Moravien. inserviebat, minime provisa erat de sustentatione duorum ministrorum et lectoris, parochis ad numerum 3000 communicantium vel eocirca extendentibus, et commissionarii invenerant quod provideri debuit ad 10 celdras victualium et 200 mercas monete (extenden. ad 11 lib. 2 sol. 2 den. sterline), cum gleba et mansa, pro primo ministro, 800 merc. pro secundo ministro, cum 40 lib. (extendentibus ad 3 lib. 6 sol. 8 den. sterline) pro elementis communionis, et ad vicariam parochie et ville de Elgine, valuatam ad 200 merc., pro lectore, —concessit et mortificavit dicte ecclesie dicta stipendia de decimis garbalibus et rectorie dicte parochie, et lectori decimas vicarias;—et cum consensu M. Gilberti Ros rectoris et Willelmi Murray vicarii de Elgin, concessit et quitteclamavit dictis preposito &c.—advocationem rectorie et vicarie dicte ecclesie, cum decimis &c.;—que antea pertinuerat ad dict. episcopatum; et quam rex a dicto episcopatu dissolvit et ad dict. terras univit inseparabiliter:—REDDEND. regi pro terris firmas burgales et servitium burgi consuet.;—pro advocatione unum den. albe firme; et ministris et lectoribus dicta stipendia:—absque prejudicio regie annuitatis, &c."

1642, February 19th.—Included in a list of possessions appreciate from the Marquis of Huntly of this date (but not in a list of date 27th December, 1639), is "magnum domicilium seu tenementum cum hortis in burgo de Elgin." A list of lands belonglng to the Marquis of Huntly, which were appreciate 23rd June, 1642, for £75,087 13s. 4d.,

includes "tenementum in Elgin, terras de Sanct-Niniane in ecclesia cathedrali de Murray fundat. (aliquando per Cuthbertum Cumyng occupat.) cum horto vic. Elgin."

1647, August 20th.—The king granted to Thomas Dunbar of Westfield half of the lands of Boighoill and the office of Sheriff of Elgin and Forres, the tower and manor place, the Castlehill of Forres, which Robert Dunbar of Burgie resigned 16th August, 1647. Paying for the said office and the Castlehill a penny blench.*

1649, November 16th.—The king granted to Sir John Makkenzie of Tarbet the lands and barony of Pluscarden, also "magnum tenementum cum hortis in burgo de Elgyn ex boreali latere vie regie ad *lie Channorie-kirk* de Elgyne ducentis, terras lie Capperlandis (vel Lipperlandis) in territorio dicti burgi, *lie* Ald-Mylnes, terras et domos de Aldmylnes, terras de Leavenshauch vic. Elgyn et Forres," &c., which belonged to Thomas Mackenzie of Pluscarden, and, 21st September, 1649, were appreciate for 48,035 merks.

* Capt. E. Dunbar Dunbar of Sea Park, in a letter to the Editor of the *Northern Scot*, of date 25th July, 1894, states that Thomas Dunbar of Westfield married Agnes, daughter of James Spens of Kirktoun, Alves, and died 4th November, 1652. The sum of the inventory of his effects, together with debts due to him, amounted only to £3270 Sc. His grandson, Robert Dunbar of Westfield, who married a daughter of Sir Ludovick Gordon of Gordonstoun, was reinstated in a large portion of the family estates by charter under the Great Seal, of date 6th March, 1672, including the customs of the market of the town of Elgin, called Sanct Geill's day, together with the office of the sheriffdom of Elgin and Forres, which lands, &c., belonged before to Alexander Brodie of that ilk and others, by virtue of several apprisings, and which they now dispone to the said Robert Dunbar.

EXTRACTS FROM MINUTES OF TOWN COUNCIL OF ELGIN.

1636.

March 28th.—The Counsell to meitt upon Wednisdaye nixt the penult of this instant immediatlie eftir the prayeris within the tolbuith.

March 31st.—*Cuming—Tarres—Chalmer.* Comperit personally Alexander Tarres, skynner, burges of Elgin, and becom actit as cautioun souertie and lawborrowis for Patrik Chalmer, skynner, burges there, his vyiff, bairnes, seruands, guids and geir salbe harmeles and skaythles of the said Patrik Chalmer and all that he maye stop or lat directlie or indirectlie in their cuming wtherwayes nor be ordor of law and justice, wnder the payn of four hundreth merkis money, and the said Patrik becom actit for his cautioneris releiff wnder the pain of poynding or warding.

Kay—Cuming. George Kay becom souertie and lawborrowis for James Cuming that Patrik Chalmer, skinner, salbe harmeles of him. Patrik Chalmer, skynner, for the ryott that fell out betuix him and James Cuming on the 29 of Marche instant is fynit be the Counsell in the sowme of ten punds money and wardit q^ll^ the samyn be payit. James Cuming is fynit for the said ryott the sowme of tuentie merkis.

Cumyng—Chalmeris. James Chalmer, skinner, became lawborrows for John Chalmer, skinner, that James Cuming be harmless of him under a penalty of 400 merks. John Chalmer became cautioner for James Cuming's indemnity.

April 25th.—*P. Hay.* Comperit personalie Paull Haye of Loche and become actit that he sall nocht bye na quhyt fisches in great within anye harberie q^r^in the toun of Elgin ar infeft in nor sall mak na mer-

chandice thairof in na tym cuming wnder the payn of ane hundreth merks and confiscatione of the fisches he sall happin to bye.

May 27th.—*A. Culback—Burges Act.* Alexander Culback, secund lawfull sone to wmqll John Culback, burges of Elgin, is admittit freeman and burges of this burgh, and is becum in the provestis will for the samyn quha hes acceptit of him for his burges.

September 23rd.—*Electione of Magistrattis.* Convenit in counsell in the south yle of St. Gelis kirk anent the chuising and electing of the magistrattis for this zeir incuming to bear office within the said burgh and in respect of ane act of counsell maid be them of the dait the 27 September, 1635, wherby they concludit and ordanit that ilk zeir in tym cuming sum persones of the counsell at leist ane or tua of them suld be changit and utheris personis put in their rowmes the said Counsell removit William Lesley and Alexander Gibsone aff of the Counsell and hes putt in lyit to be chosin these persones, viz.: William Falconer, James Innes, nor. publict, James Douglas, Robert Martein and Alexander Russell, zounger, out of qlk number the said counsell chuisit James Douglas and James Innes forsaid to be in place of the saidis William Lesly and Alexander Gibson quha hes gewin thair aythes. Lytes of provestis: Mr. John Hay and Mr. Gavin Douglas. The haill auld and new counsell chuisit Mr. John Haye be provest within the said burghe for this zeir in tym cuming. Lytes of baillies: Alexander Lesley, Johne Myln, Andro Waus and William Layng. The haill counsell electit Alexander Lesley and Johne Myln to be in rowme of John Robertsone and Andro Annand to be bailzeis for this zeir incuming. Androw Annand, thesaurer. Nicolas Dunbar, clerk, and in his absence Jon. Patersone. William Layng, James Douglas and James Innes to be prors. fischallis quhilkis haill persones of counsell hes gevin thair aythes. The officiaris to be zit advysit wpoun. Lynsteris, cunsteris and visitouris of the flesche mercat to be chosin.

October 8th.—*Douglas—Hendersone.* Mungo Douglas becom souertie for Johne Hendersone in Knok of Straythylay that he sall keep the actis of parliament in tym cuming anent forstalling and regraitting wnder the payn of ane hundreth merks money. The qlk day John Hendersone fynit in xx lib. for forstalling be his awin confession.

October 17th.—*Creation of Officiaris—Lynsteris and Cunsteris—Visitors of the Flesche Mercat.* The qlk daye Jon. Forsythis, elder and

zounger, Jo^{n}. Douglas and Robert Dunbar creat officiars within the burghe of Elgin for this zeir in cuming quha hes gevin thair aythes. Lynsteris and cunsteris:—South eist quarter—Alexander Gilzean and William Warden. South west quarter—Jo^{n}. Chalmer, elder, and James Cuming. North wast quarter—Robert Martein and Alexander Russell, zounger. North eist quarter—William Cobban and Patrik Chalmer. Visitoris of the flesche mercat: Andro Stalker, William Coban, Alexander Murray, William Falconer, Robert Dunbar.

Wm. Coban. William Coban fynit in tuentie four pundis for forstalling.

November 14th.—*Stentaris of Taxatione.* Eight stentaris appoyntit for laying of the tounes taxatione.

November 21st.—*Ventonaris of Wine.* Ventonaris of wyne betuix November, 1635, and November, 1636. Issobell Hardie, spous to William Lesly, declairit that sche ventit and brocht in to hir cellar betuix November, 1635, and November last, 1636, tua tun of frensch wyn and ane pype of spaynis wyne—is 10 lib. William Layng deponit wpone tua tun and ane punschione of frensche wyne ventit betuix November, 1635, and November, 1636. Nicolas Dunbar declairit that thair came four tun of frensch wyne to his cellar and tua pyipis of seck and that he haid sauld thairof to Margrat Dauidsone in Boghead half tun of frensch wyne and that thair is ane pyip of seck vnventit. Elspet Annand, spous to Alex^{r}. Vrq^{d}., deponit vpoun 4 tun of frensch wyn and ane pyip of seck.

December 12th.—*P. Chalmeris Calsay.* Patrik Chalmer, skynner, burges of Elgin, becom actit to caus calsaye that peice of the calsaye under his avin land lyand on the north syd of the said burghe q^{r}. he presentlie duellis and that sufficientlie betuix the dait heirof and the last day of Junij nixt wnder the payn of xx lib.

1637.

April 3rd.—*Fischeris of Burghesea.* Andrew Steill in Burghesea compeirand and being accusit for transporting his fisches to Cathnes, Ros or Sutherland and selling these to merchands and thair factors to be maid and transportit furth of the cuntrey, the said Andrew denyit the samyn and James Douglas, p^{r}. fischall, tuik to prewe the samyn.

A. Gilzean. Alexander Gilzean, sadler, burges of Elgin, dischairgit be the Counsell fra laying onye middingis in the fuird of Tayok betuix the dycks in tym cuming wnder the payn of x lib.

J. Steill, Skipper. The haill fisches of great fisches pertenying to John Steill in Burghe sea extending to xi^{xx}. of maid fische qlk he haid sauld and coppit to ane wther contrar to the lawis of this realme ar confiscat and the Counsell hes wnlawit him only in vi lib. thairfor and hes coft the rest of the fisches fra him and gevin him payment therfor at 12 lib. the hundreth.

April 17th.—*M. Winchister—Stronoch.* Anent the ryott that Marion Winchester, spous to Thomas Warrand, merchand burges of Elgin, committit aganis Jonet Stronoch, spous to James Sym, in Petgewnie be dinging of hir in the said Marioun her awin hous and gewing of hir sindrie cuiffis in the schaftis being convenit thairfor and having confessit the samyn thairfoir is ordanit be the Counsell to remayn in waird within the tolbuith four dayes and four nychtis fra this Mononday till Frydaye nixt and thaireftir on the said Frydaye, the 21 of this instant, to cum to the sessione of Elgine and thair to sitt doun on hir kneis befor the elderis and crawe pardone of the said Jonat Stronoch and hir said spous as als is becum actit that incaice sche fall out in onye tyme cuming in onye disordour with onye persones in that caice sche to be put in the joggis. Tandem Jo^{n}. Myln, baillie, tak out the said Marion Winchester furth of waird for payment to Andro Annand, thesaurer, off fywe pundis money for hir releas.

April 24th.—*Jo^{n}. Innes, Glasinwrycht.* In presens of the provest and four baillies comperit Jo^{n}. Innes, glasinwrycht, burges of Innernes, and becom willinglie actit, bund and oblist that he suld mak na pactione or indentour w^{t}. Alex^{r}. Forsyth, glasinwrycht in Elgin, nor onye wther of his avin craft and calling q^{r}by the pryces of his wark maye be hychtit or keipit vp or the lieges of the cuntrey in onye sort prejudgit and incaice of failly to content and paye to the thesaurer of the said burghe the sowm of fourtie pundis money.

May 1st.—*Act anent entrie to auchtan partis.* It is ordanit by the counsell that ilk counsellour heireftir that salhappin conqueis or acqueir ane or tua auchtan pairtis of land with the pertinentis in that caice thai to paye to the thesaurer ten merks for ilk auchtan pairt of land for thair entrie thairto. Utheris to pay ad arbitrium dicti consilii.

June 19th.—*Act anent louse nolt pasturing throch the feilds of Elgin.* It is statut and ordanit be the counsell that na inhabitant within this burghe nether frie nor wnfrie in na tyme heirefter sall haue pouer to haue mair bestiall pasturing wpon the boundis of Elgin eftir the beir land beis done except thrie tedderit beasts, ayther kye, oxen or stirks, wnder the payn of ten pundis.

July 24th.—*Sct. Gelis mercats.* It is concludit that the first of September nixt salbe St. Gelis ewin and the secund day of the said monethe salbe St. Gelis daye nixt.

July 26th.—*Tradderis.* Memorandum to charge . Collye at the kirk of Bellie, George Innes at the Boitt of Fiddich and . Tammisone at the boitt of Skeirdurstan for trafficting with salt.

July 29th.—*Adam—Junkein—Dunbar.* Jon. Adam, Michaell Junkein and Alexander Dunbar, chapmen, becom actit that they sall nocht vsurp the libertie of ane frie burges in tym cuming or ellis they sall mak themselves friemen of this Royall burghe of Elgin wnder the payn of ane hundreth pundis.

August 7th.—*C. Cumyn.* Comperit personally Cristan Cuming, spous to Androw Innes, merchand burges of Elgin, wt. his consent becom actit that sche sall nocht in na tym cuming mett anye maill or malt within her hous that suld be presentit to the mercat bot with the tounes common measeris and pay the custom thairof wnder the payn of x lib. and confiscatione of the maill or malt.

September 18th.—*Act anent horses that ar suspectit to haue the mortiechein.* It is ordanit be the counsell that anye persoun within this burghe that salhappin to haue hors or meeris that beis infectit with the mortiechein in that caice thai sall hold them within thair hous and not to suffer them to pas throch the feilds or toun to meitt wt. wther horses in na tym heirefter wnder the payn of x lib. toties quoties. James Fairer, smyth in Elgin, and Jean Mitchell thair quha ar suspectit to haue horses infectit wt. that disease are ordanit in manner forsaid wnder the payn forsaid.

September 25th.—*J. Stronoches censur.* John Stronoch, fleschiour in Elgin, in his avin presence is ordanit to stand in the joggis fra nyn hours in the morning this daye qll. tuelff hours thairefter bear headit and becaus he wes fund in the lyik fault befor he is ordanit to be bannischit this toun or ells to pay x lib. and be put in the joggis in case he fall again.

October 23rd.—*Sanchoriehill.* James Myln, maltman, burges of Elgin, Patrik Chalmer, skynner, and James Cumyng ilk ane ar fynit in l. s. for casting of devattis on the Sanchorie hill sen Michaelmas last and ordanit to remayn in ward q^{ll}. it be payit.

Cordoneris of Elgin finit for brek of statutis. George Key, cordoner, fynit in ten pundis for brecking of the statutis anent selling of schone and barkit ledder. Androw Key, cordoner, fynit in aucht pundis for the caus forsaid. Johne Pedder fynit in ten pundis for the caus forsaid. James Key, cordoner, declairit being posit upoun his ayth that he had sauld na schoone of north cuntrey ledder this tuelfmoneth bygan nor na cuntrey barkit ledder during the said space bot that he had cuntrey ledder to sell presentlie within his pottis. Patrik Moresoun, cordoner, fynit in xxvi s. viii d. for brek of statutis anent the selling of schoone. Alexander Innes, cordoner, absoluit be his ayth anent selling of schoone and barkis in ledder him self. James Gordoun, cordoner, fynit in fyve merkis for brek of the statutis in selling of schoone and as ane regraitter. John Harvie absoluit be his ayth anent the brek of statutis. George Reidheid absoluit in maner forsaid. James Scott fynit in xl s. for brek of statutis. Patrik Pedder and William Wilsone fynit in xxvi s. viii d. for brek of statutis. James Pedder absoluit be his ayth as said is. Thomas Murray absoluit. Johne Forsyth, cordoner, fynit in xxvi s. viii d. for brek of statutis. Summa xlvi lib. 3s. 4d. Alexander Murray absoluit. Wm. Petrie, Alex^{r}. Harvie and Andro Donaldsone absentis.

William Falconer, burges of Elgin, and Margrat Hamiltoun, his spous, ar appoyntit to be enterit be the toun to ane auchtan part of the grieschip lands of Elgin and auchtan pairt of Barflethills for payment to the tounes thesaurer of ten merks for the said auchtan part of grieschip lands with 25 merks for the quadroupill of the dewaties of the auchtan part of Barflethills and hauch thairof.

Toun and landward fleschiouris fynit. The qlk daye the persones wnderwreitin as the toun of Elgin thair fleschiours ar fynit in the particular sowmes of money eftir mentionat ilk ane of them respective for thair awin pairtis for breking of the statutis in selling of the fleschis deirer nor the statutis of the said burghe to witt Johne Stronoch in Elgin fynit four merks, to be payit against Leonard daye, John Thomsone in Kaym fynit in four merks. Comptit with landward fleschiours for talloun since 1634: John Thomson in Kayme fynit 54s., Alexander

Cuik in Meft fynit 27s., Thomas Gillimichaell in Whytwray, Androw Brabner in Kintray, Alex. Sutherland in Wnthank, William Rob in Kirktoun of Duffus quha wes stentit to ane stane talloun zeirlie, John Stronach stentit to thrie stane talloun zeirlie, Alexander Watson, John McGewan and Thomas Mitchell.

November 20th.—Andrew Annand, thesaurer, acceptis William Falconer, burges, for ten merkis for his entrie to ane auchtane part of land sumtym perteining to Doctor Aparesiis.

November 27th.—*D. Dunbar.* The Counsel ordanis David Dunbar in Garmoche to be summonit be ane literall summonds to mak his residence within the burghe of Elgin within fourtie dayes wnder the payn of tinsell of his fredome.

1638.

January 15th.—*Act anent the admitting of burgessis gratis.* It is statut and ordanit that quhasoeuer sall be ressauit and admittit freman and burges of this burghe in tym cuming at the requeist and intercessione of onye nobillman or gentillman or uther quhatsumeuer / albeit the counsell of this burghe ressaue tham gratis zit thai salbe oblissit to satisfie the thesaurer of the said burghe for thair fredome in sic measur as the counsell sall determein als soone as thai becum resident traddismen and mak benefeitt of thair burgeschip and this claus to be insert in thair burges actis.

February 26th.—*Jn. Ross—Wm. Haye.* John Rose of Breadleyis, sone to vmqll. William Rose of Kilravocks, and William Haye, sumtym servitour to Mr. Johne Osthealls, the latter at the desyre of ane nobill lord, James, Erle of Murray, ar admittit freemen and conburgessis of this burgh gratis but to satisfie the tounes thesaurer als soone as they becum resident traddismen and mak benefit of thair burgeschip.

March 12th.—*Actis and ordinances anent the setting of hous or land to singill persones nocht having laufull traids, etc.* [None to be set without consent of magistrates under penalty of £20 and the setter] to be comptabill for onye wrong and prejudice done to any inhabitant by such persons and siclyik that all lait incummeris and sic personis men or women ather tak thamselffis to seruice or than remove willinglie

furth of this burghe again the feist and terme of Witsondaye wnder the payn of warding of thair persones and thaireftir of banischeing of them furth of this burghe certefeing all such persones that giff thai sustein onye preiudice within this burghe in tym cuming thai sall nocht be heard to complayne or seik reparatione thairof.

May 22nd.—John Jos, seruitor to James Jos in Siluerfuird, convict for the bluid drawing of Thomas Nicoll, myllar in Littlll Innerlochtie, on the 21 Maij instant and thairfor fynit in x lib. and in respect of his powertie componit to xl. s.

July 2nd.—*Actis anent the Moss of Glasgrein.* It is statute and ordanit that na inhabitant within the burghe of Elgin sall haue powar to cast onye peittis within the moss of Glasgrein in onye tyme cuming without ane warrand to be grantit to thame in presence of the persones of counsell wnder the clerkis handis wnder the payne of xl. s. for ilk spaid that salbe fund casting peitts in the said moss attour the said warrand and that nane brek grund within the said moss for holling and casting of fir except it sall be in the bank whair thay cast thair peittis and ilk persone that sall cast peitts in the said moss sall paye xx s. Lyikwayes it is statute that ilk counsellour of the burgh sall haue pouer to cast peitts in the saidis moss at thair pleisur in tym cuming provyding that ilk an of thame exceid nocht fyve spaids zeirlie as also that na inhabitant within this burghe (the persones of counsell being exceptit) sall haue pouer to cast peitts within the said moss in tym cuming q^{ll}. first they present to Ro^{t}. Gibsone of Linkwods the warrand thai happin to purches fra the said counsell befor thai begin to cast and acquant him thairwith. Item it is statute that quhatsumeuer persone salbe fund to cutt the gaittis passing throch the saidis moss in anye tym heireftir sall paye v lib. money toties quoties to the procurator fischall of the said burghe to the behowe of the thesaurer thairof. As lyikwayes it is statute and ordanit that the said Robert Gibsone sall nocht in na tym heireftir mell nor intromet with na tounes menis peittis within the said burgh bye the counsell of Elgin thair allowance wnder the payn of v lib. money for ilk cairtfull of peitts he sall happin to mell and intromet with.

July 4th.—*Wnfriemen.* [Twelve persons] wnfriemen citat for keiping of oppin buthis.

July 16th.—*Act anent the Moss of Mostowye.* Comperit James Mitchell in Bischopmyln, Peter Cowye thair, James Wod in Shereffmyln

and Alexander Gordoun in Salterhill, and becom willinglie actit that thai sall nocht cast peittis nor hoill fir in na tym heireftir in the moss of Mostowye but the speciall licence and attolerance of the provest, baillies and counsell of the burghe of Elgin wnder the payn of ten pundis.

September 17th.—*Act anent that anye member of the Shereffis Court sall nocht bear office in this burrow court.* Forsameikell as the burghe of Elgin hes guid and wndouttit rycht to all bluidvittis committit within the said burghe and upoun thair awin landis and heretages as als hes thair awin priviledge and rycht thairto as wtheris burrowis and barroneis of the cuntrey hes Thairfor the saidis persones of counsell hes statut and ordanit that no member of the Shereffis court sall bear anye office in tym cuming in the burrow court of the said burghe or in the counsell.

October 10th.—*R. Hardie, Commissioner to the General Assemblie.* Robert Hardie, baillie, is chosin commissionar for this burghe of Elgin to pas to Glasgow again the 21 of November nixt to the Generall Assemblie, and to keip the aucht of the said moneth at Edin^{r}. to meitt with the rest of the commissionaris of the borrowes, and to haue for his chairges in hand at the begining of his veyage ane hundreth poundis moneye and incaice he stay long and neidis mair to haue pouer and warand to borrow mair to be repayit to him be thair thesaurer. As also is appoyntit be the said counsell to go to the croce of the said burghe the tym his Ma/ proclamatione beis proclamit thairat this daye anent the laitt covenant and thair to compeir for tham and all wtheris having entres to protest.

October 22nd.—*Cordoneris, etc., fynit.* Androw Key, cordoner, fynit in 4 lib. for raising of his pottis nocht adverteising ane baillie and for transporting of his ledder and for brecking of the statutis in selling of deir schoone. George Key fynit in 3 lib. for transporting of ledder to Symmeruiffis fair, Keyth, and for raising of his bark pottis nocht adverteising ane baillie. John Pedder fynit in 3 lib. for breking of the statutis in selling of ledder and schoone. John Harvie, cordoner, William Wilsone, John Forsyth, cordoner, James Pedder, Alexander Harvie, James Scott and James Gordoune convict in xx s. for selling of deir schoone. James Key [and four others] absent. Landward cordoneris absent:—Alexander Sutherland in Birney [and four others]. Tounes fleschiours fynit in 4 lib. for brek of the statuts: Jo^{n}. Stronach [and two others. Also two absent].

Tounes talloun. Johne Stronoch, fleschiour, stentit to paye four stane talloun betuix Martimes 1638 and Martimes 1639 [and two others. Also one absent].

November 19th.—*T. Calder fynit.* Thomas Calder, merchand burges, accusit for tradding with wnfriemenis guidis, callit, compeirit and grantit that he reseavit fra Alex^r^. Andersone in Garmoch tuelf dollors to bye woll to him at the last mercat in Bewlie and that he suld have gevin him ane dollour for his paynes and that he had wairit the said xij dolloris to him wpoun woll: fynit in ten merks thairfor.

November 26th.—*Cumyng, Russell, Innes, anent candill.* Comperit personalie in presens of the persones of counsell, George Cuming, Alexander Russell, elder, and Andro Innes, burgessis of Elgin, of thair awin consentis and als all and sindrie the merchandis and inhabitantis of the said burghe that sells steppill guids ar dischairgit be the said counsell that thai sall nocht sell nor bye talloun of onye beastis that ar slayn or cumis in to this burghe to be sauld in na tym cuming bot to thair awin vse allanerlie and that thai sall nocht mak ma candill to sell to onye persones bot sic as serues thair awin vse allanerlie wnder the payn of fourtie pundis ilk persone.

1639.

January 21st.—*T. Calder—Powder.* Thomas Calder, merchand burges, becom actit to sell na powder to na persones bye the advyis of the counsell of Elgin wnder the payn of fourtie pundis.

Tak of the Pittie custoumes—Tak of the victuall mercat. The magistrats and counsell set in tak to Robert Dunbar [and three others] the customes of this burgh, except the victuall mercat for thrie zeirs for 220 merkis payabill at Candilmes, Beltan, Lambes and Hallowmes. The custom of the victuall mercat set to Alexander Murraye, belman, for tuentie four pundis at tua termes in the zeir, Witsondaye and Mertimes.

February 4th.—*Ventonaris of wyne.* Elspet Annand, spous to Alex^r^. Wrqr^d^., declairit that sche ventit betuix Hallowmes, 1637, and Hallowmes, 1638, four tun of wyne—is xvi lib. Nicolas Dunbar 3 tun half tun of Frensch vyn with tua pyipis of seck extending to ane tun of wyne. Isobell Harde, spous to William Lesley, deponit vpoun tua tun of Frensch wyn. Agnes Andersone, spous to James Innes, not^s^. public^s^.,

receavit fra Mr. William Cowban 3 peice of frensch vyn and fra Robert Dunbar, seruitor to Jo^n^. Dougall, 2 peice of frensch vyn, inde v peice. Besse Innes, spous to William Layng, burges, deponit vpoun ane tun and ane half tun of frensch vyn.

February 18th.—*Jo^n^. Fraser, dreillm^r^.* John Fraser in Elgin wnder tuik to be dreill m^r^. within the burghe of Elgin to tryne vp the persones in dreilling with thair wapones for the space of ane monethe, thrie dayes in the weik, at the speciall dayes and tymes appoyntit to that effect and he to haue for his paynes xl s. weiklie.

March 4th.—*John McGown.* It is appoyntit be the persones of counsell that John McGown, post, sall haue fra Ro^t^. Hardie, m^r^. of the hospitall of Messindew, xl. s. again Witsondaye nixt and wther xl. s. again Mertimes thaireftir and that in respect of his necessitie to frie him of his hous maill for the said zeir.

May 6th.—*Mr. Jo^n^. Douglas, Commissionar to the parliament.* Mr. John Douglas is appoyntit to be commissionar for the burghe of Elgin to the parliament to be haldin the 15 of May instant.

Muscattis, etc. It is appoyntit that theis that hes receavit muscattis, staffis, bandaleiris and pickis to be warnit to compeir befoir the counsell of Elgin on the 13 of Maij instant and to bring w^t^. thame that daye payment for the samyn according to the roll.*

June 17th.—*Oliphant, Lamb, Cormak—Offer of victuall.* Alexander Oliphant and Alexander Lamb in Cathnes enterit within the burghsea fourtie bollis beir and maid offer thairof to the toun and thai gaiff commission to them to sell the samyn for fyve pundis the boll. Comperit Jo^n^. Cormack in Weik of Cathnes and declairit that he enterit within the Cowsea tuentie sevin bollis beir and sewin bollis meall to be sauld and maid offer thairof to the toun and thai gaiff him pouer to sell the samyn for v lib. the boll.

* Montrose had placed the Marquis of Huntly and his eldest son under arrest, but Lord Aboyne, Huntly's second son, opposed the Covenanters, and made the Covenanters flee at the "Trot of Turriff," 14th May, 1639. In his MS. History of Rose of Kilravock, Shaw says that on the 14th of May, after the "Trot of Turriff," 4000 met at Elgin under the Earl of Seaforth, the Master of Lovat, the Master of Reay, George, brother to the Earl of Sutherland, Sir James Sinclair of Murkle, the Laird of Grant, young Kilravock, the Sheriff of Moray, the Laird of Innes, the Tutor of Duffus, and others, who encamped at Speyside to keep the Gordons from entering Moray, and remained in their encampment until the pacification of Berwick was intimated to them about 22nd of June.—(From "The Chiefs of Grant.")

June 24th.—*James Innes maid offer of victuall.* James Innes in Lathorne in Cathnes hes brocht in to the burgh sea to be sauld fyiftie bollis of beir malt and ait meall and maid offer thairof to the toun, and the counsell ordanit the bell to go throch the toun that anye that pleisit to bye the samyn for sewin merkis the boll hand money or utherwayis giff this pleisit nocht the said James he is ordanit to remove the said victuall fra the said port.

July 2nd.—*Act anent Sir Rot. Gordoun and the Laird Duffus, tennentis to the moss of Mostowie.* The counsell of Elgin gewis licence to the tennentis of Drany and Newtoun of Drany perteining to Sir Robert Gordoun and to the tennentis of Correlwod and Liggat perteining to the laird of Duffus to cast and win peittis within the moss of Mostowie for this present zeir of God 1639 zeiris allanerlie.

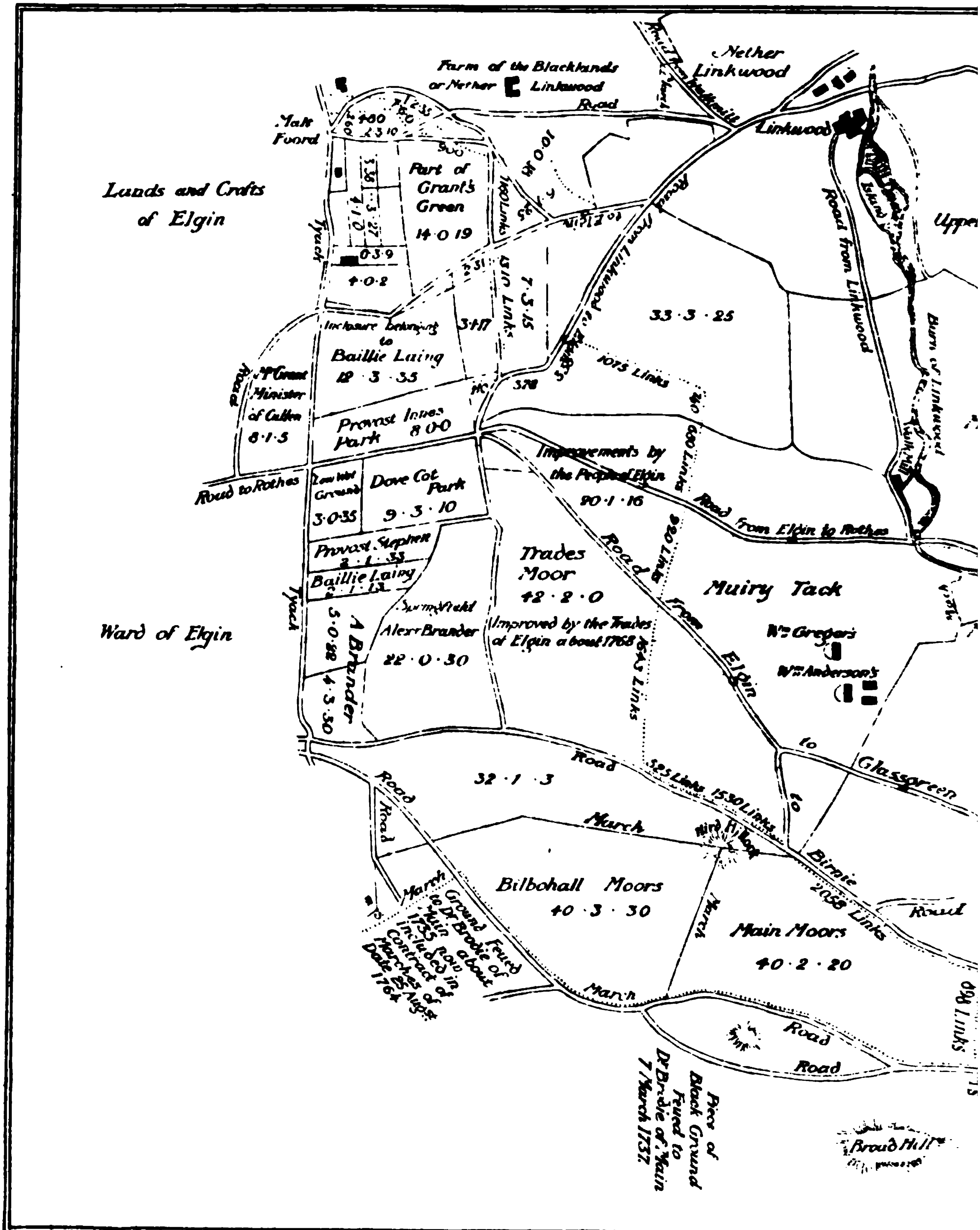
July 15th.—*Wm. Isone maid offer of victuall to the toun.* Comperit personalie William Isone in Weik of Cathnes and maid offer to the counsell of tuentie bollis beir and aucht bollis aitmeall that he had brocht in from Cathnes to the Cowsea and the counsell hes sett doun sewin merk for ilk boll thairof and the counsell hes ordanit the bell to go throch the toun for that pryce quha pleisis to bye for hand money to repair to the Cowsea qr. tha wilbe seruit sa lang as it laistis.

July 21st.—*Proclamatione of Sct. Gelis mercat for anno 1639.* Nota that St. Gelis mercat be proclamit heir on Sct. James daye at Elgin, on Laurence daye in Forres, and at Innernes on the first fair in Innernes. To be on Friday and Setterday the penult and last dayis of August nixt for this zeir and fryday to be the mercat ewin.

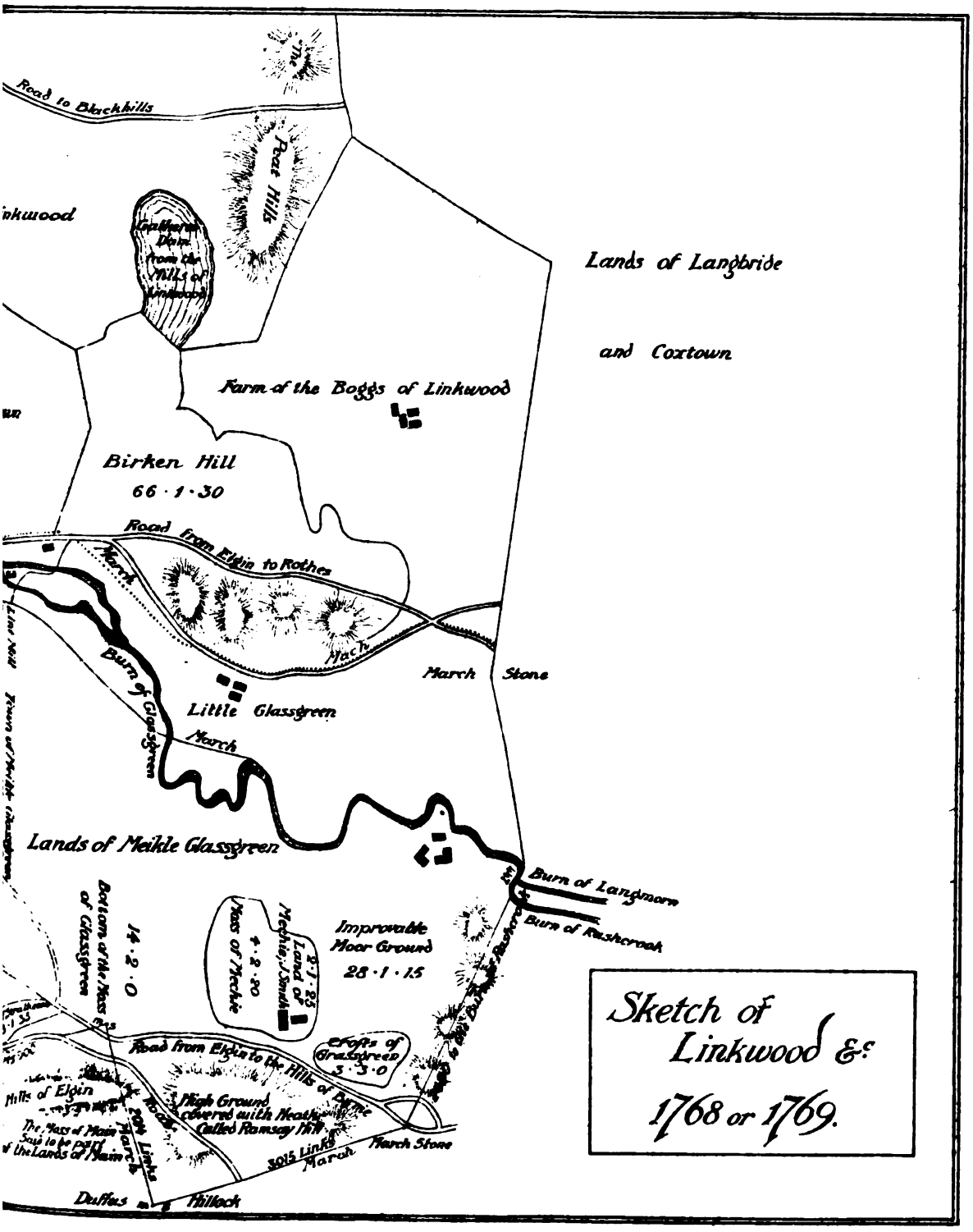
Brig of Mostowye. It is ordanit that Mr. Gawin Douglas of Morrestoun and Alexander Russell, thesaurer, sall pas to vew the brokin brig of Mostowie and sie quhat chairges will do the turne and to enter persones to the wark and to tak vp ane roll of sic persones as duells within this burghe that leadis peittis from Mostowie.

July 29th.—Henrie Oswall in Weik of Cathnes wnlawit in ten merkis money for breking of bouk of his victuall qlk he brocht in Cowsea from Cathnes and maid nocht offer thairof to the toun and the samyn chairgit to remayn in waird qll. the samyn be payit.

Mr. J. Douglas, Commissionar for the Parliament. Mr. Johne Douglas, appeirand of Morrestoun, is chosin commissionar for the Assemblie to be haldin at Edinr. the . day of August nixt.



Taylor & Henderson, King's Printers, Aberdeen


Road to Blackhills
Peat Hills
Lands of Langbride
and Coxtown
Farm of the Boggs of Linkwood
Birken Hill
66 · 1 · 30
Road from Elgin to Rothes
March
Burn of Glassgreen
Little Glassgreen
March Stone
Lands of Meikle Glassgreen
Burn of Langmorn
Burn of Rashcrook
Bottom of the Mass of Glassgreen
14 · 2 · 0
Mass of Meikle
4 · 2 · 20
Meikle Sandy
Land of
3 · 1 · 25
Improvable
Moor Ground
28 · 1 · 15
Crofts of
Grassgreen
5 · 3 · 0
Road from Elgin to the Hills of Burnie
Hills of Elgin
High Ground
covered with Heath
called Ramsay Hill
March Stone
Duffus
Hillock
Sketch of
Linkwood &c
1768 or 1769.

August 2nd.—*Doull maid offer of victuall.* Alexander Doull in Weik of Cathnes enterit and gaiff vp fourtie bollis beir aucht bollis meall that the said Alexander brocht in to Cowsea fra Weik and maid offer thairof to the toun, and the counsell hes set doun fyve pund for ilk boll thairof hand money.

October 28th.—*Cordoneris forgewin—Tounes fleschiouris.* The haill cordoneris within this burghe comperit and all fund giltie to have brokin the statutis in selling of deir schoone and selling of deir barkit ledder but are forgewin. John Stronoch [and four other fleshers] fynit 40s. for selling of deir fleschis [two fleshers also fined £4 each].

Tarres. Alexander Tarres, skynner, fynit in xxx s. for selling of deir schoone in the mercat and wairdit till the samyn be payit.

Murdoch—Watsone. Thomas Murdoch, sone to Patrik Murdoch, and George Watson, tailzour, becom actit to tak thair friedome betuix this and Witsondaye nixt or ellis sall serue maisteris or wtherwayes remove tham selffis furth of this toun.

1640.

Robert Gibson of Linkwoodis Supplicatione. Unto your Wisdomes, My L. provest, Baillies and remnant of the Counsall of the Burghe of Elgin, I, Robert Gibsone of Linkwoods, humblie shewes That it is not vnknowne to all the great preiudice and skaithe I have susteined this long tyme bygone and am most lyke to susteine more (if remead be not tymlie had for preventing of future danger) by the violence first of the Water of Lossie by takeing away a great parte of my lands of Herviehauche and now of late by the Improvidence of Mr. Johne Gordone, your late minister, in casting downe the face of the bank all that land is most like to perishe by the violence of winds blowing sand theiron And because I intend God willing to doe my indeavour to preserue so much theirof as I can without preiudice to any seing there is ane high way now throughe that land to your burghe the passage whereof is most preiudiciall to me without benefite to you which may be changed to als commodious a place for all passingers (as ye all will perceive after due tryall) without any losse to you and to my weill I trust you will condescend thairto as ane charitable work that it may be so which out

of a Christiane duetie I wishe you may take to heart. Herefore I beseeche your wisdomes to tak this mater to your consideratione tymelie seing the seasone requires a speedie remeadie to be vsed for preventing of further losse and your L. answer.

March 2nd.—The counsell resolues to sycht the bounds on Wedinsdaye nixt, the 4 of this instant, immediatlie eftir the morning prayeris and thaireftir to giff thair ansuer.

March 9th.—The counsell grants the petitione upon provisione that incaice this new gaitt be incommodious in anye tym heirefter ather be the watter of Lossie or be sand or wtherwayes than and in that caice it salbe lesum to the inhabitantis of this burghe and all his Ma / lieges to haue recours to the present and wountit gaitt or to ane wther gaitt als commodious throch the said landis of Harvishauch and that ane act be maid heirunder actit in the counsell buikis of Elgin to be sub^{t}. be the said Robert befor anye alteratione.

April 20th.—*J. Innes pinsell.* James Innes, skynner, receavit fra William Innes, skynner, the skynneris old pinsell sumq^{t}. hollit and rent and hes be[com] comptabill for the samyn to the craftis.

May 18th.—*John Adam anent turnoris.*—John Adam, merchand, in his awin presens is ordanit be the counsell to stand in waird q^{ll}. he paye to Andro Annand, thesaurer, thrie dolloris to be gevin to the puir and that for interchangeing of dolloris with ane Aberdeins merchand in geving to him thrie dolloris in siluer and receaving back fra him sex dolloris in turnoris for the samyn and is ordanit nocht to do the lyik.

June 29th.—Nota. Androw Annand gaiff to the tuelff souldiers thair weiks vaiges and he tuik allowance of sex of thame for 3 lib. for sex new suord beltis. [They were paid 42/- each per week.]

Names of theis that wndertakis to be souldieris for the burghe of Elgin as followis:—

Muscattis.

James Chalmer, zo^{r}., Coddie, furnissit be himself in armour.

Alexander Alves receavit James Keyis muscatt with bandoleir conteining 10 measuris and ane purs, hes a suord of his avin.

Beltis. Androw Forbes receavit Jonet Grantis / m / v^{t}. bandileir w^{t}. 12 measeris 1 purs and staff, hes a suord of his awin, recavit ane new belt.

Beltis. Jo^{n}. Robertsone receavit Alex^{r}, Tarres / m / w^{t}. full bandileir staff and receavit ane new belt w^{t}. ane suord coft fra Jaspar Haye.

Walter Gregour receavit James Douglas his / m / w^{t}. full bandilier and purs w^{t}. ane suord fra Jo^{n}. Chalmer at 8 merkis.

James Adie receavit the provest, Mr. Jo^{n}. Haye, his / m / with full bandileir, hes ane suord of his awin.

Belt. Robert Gregour hes receavit ane / m / ql^{k}. pertenit to Jo^{n}. Myln w^{t}. ane bandileir contening xi measers ane purs and receavit ane suord fra Andro Annand, receavit ane new belt.

Belt. Thomas Dunbar receavit ane / m / qlk pertenit to Thomas Murdoch w^{t}. ane suord pertenying to John Milne, receavit ane new belt w^{t}. ane staff and full bandileir fra the said Thomas Murdoch.

Pickmen.

Belt. Thomas Imloch 1 pick and suord of his awin, receavit ane belt.

Alex^{r}. Zoung 1 pick and suord of his awin.

Belt. James Murraye 1 pick tayn fra Andro Annand ane belt and receavit ane suord pertening to James Findlay.

Nota. Jo^{n}. Dow past with Monro insted of James Findlay and he receavit 1 pick.

June 1st.—*Waponeschawing 15th Junij.* The counsell appoyntis the 15 instant to be ane waponschawing and all men to be in thair best array in armour and that on Thursdaye, the 4 instant, the samyn to be proclamit be touk of drum.

June 22nd.—*Key—Mylne.* The Counsell ordanis Thomas Myln, seruitor to George Key, burges, to serue his Mr. forsaid qll Mertimes nixt dewtifullie and for ilk tyme that he salhappin to be absent fra his seruice and dois nocht his dewate to his said Mr. and for ilk tyme he beis fundin drunckin during his seruice forsaid to paye v lib. and to be punischit conform to the discretione of the magistrattis attour the said penaltie.

July 13th.—It is condiscendit that Mr. Jo^{n}. Haye, provest, or Mr. Jo^{n}. Douglas, baillie, sall go to the Generall Assemblie haldin at Aberdeen the last Tysdaye in July instant.

Mostowie. It is condiscendit that civill interruptione salbe maid to ane dyck or stank that is casting on the bounds of Mostowie betuix that and my lord of Murrayis boundis qlk is cassin be my Lord of Murrayis

tenentis of Whytfeild and thaireftir the samyn to be cassin doun and demolischit.

August 20th.—*A. Andersone convict in 10 lib.* Alexander Andersone, maissoun, grantit his oversycht done to Robert Hardie and James Douglas, baillies. He is ordanit to paye to the thesaurer x lib. of fyne and is declairit to haue tint his fredome and burgeschip of this burghe and to remayn in waird qll the said x lib. be payit.

September 28th.—*Cordoneris fynit.* Androw Key and John Pedder, cordoneris, ar fynit in 8 lib. and James Scott in 5 lib. for contravening the statutis in selling of schoone, barkit ledder and keiping of thair schoone within thair buithis and nocht bringing of thame to the Setterdayes mercat.

October 26th.—The baillies war ordanit to delyuer to Andro Annand, thesaurer, sic sowmes of money as thai haue receavit of the tent moneye to be gewin to the peopill that hes most neid that receavit my Lord Sinclaris soiours in quartering.

November 9th.—It is condescendit be the haill persones of counsel that thair be ane act drawn vp to be subt. be thaim that in respect that the consistorie is to sitt in the tolbuith that na persone ather perseuar or defender that compeiris to plead sall nocht be wairdit nor arreistit that daye bot sufferit to go frelie out of the said burghe.

November 30th.—It is appoyntit that Thursdaye nixt the magistrattis to go throch the toun and weycht the siluer work within the toun.

December 3rd.—It is appoyntit that the counsell sall meitt on Monondaye nixt for reveising of the rollis of the rent of the tent pennies and making ansuer to the Commissionaris deputtis in wreit.

Anent gilderis. It is appoyntit be the counsell that the greattest number of the honest men and judicious of this burghe salbe warnit to compeir the sevint of this instant to giff thair advyis anent the ordour to be takin anent the toun of Elgines pairt of the sowme of ane hundreth and fyiftie thowsand gylderis.

December 14th.—*Tounes comptis.* It is appoyntit that the tounes comptis salbegin on the 25 of December instant at fyve houris in the morning and the rollis of the commoun guid to be drawin vp and the persones having entres to be warnit to that effect.

Rot. Wmfray. Robert Wmfray, smyth in Elgin, becom actit to hold vp the knok of Elgin in irone wark for the space of sewin zeiris vpoun

his awin expensis, he getting doun his stallinger maillis zeirlie during the said spaice qlk the counsell hes aggreit to.

1641.

January 4th.—*Mercat croce head.* The Counsell hes appoyntit the head of the mercat croce of Elgin to be taikin doun be tham selffis or be thair directione and be no wther.

A. Low. Androw Low in Forgie syid within the parochin of Keyth is wnlawit in the sowme of four pundis for traidding with barkit ledder as ane frieman and for vsurping of the traid of ane frieman.

March 29th.—*J. Malice.* James Malice to gett his friedome and to paye 20 lib. in hand to the thesaurer, the rest of the pryce of his friedome gevin doun to him inrespect he haid mareit ane burges dochter, and that sche wes ane of tua heretrices of her father land.

May 17th.—*Malice.* Robert Malice wnlawit in tuentie merkis for sum evill speitches gevin be him to Robert Strawchin, merchand burges, being convict be ane inqueist, and incaice the said Robert Malice be fund to speik onye iniurious speitches aganis the said Robert Strawchn heirefter, or aganis onye wther quha hes bein upoun his inquest and assyse, he to pay fourtie pundis and to lois his friedome.

Viccarage set to R. Dunbar. The counsell in respect of the death of the bestiall this zeir hes grantit to Robert Dunbar, officiar, the viccarage of the peroche of Elgin for this zeir 1641 for 200 merks.

June 7th.—*Gillanderis.* William Gillanderis [and two others] ordanit to pay 13s. 4d. ilk ane, and to set cautione for making of thair repentance within the kirk at the pillar for nycht waiking and drinking on the nycht and for going to the Old Mylnes on the 2 Junij instant wnder silence of nycht and brasching at Margrat Duncanis dur.

Powder. Nota. To tak ordour wt. the powder in Andro Annands handis. Item to tak compt anent the Jedward stawes in his hand.

June 14th.—*Gilderis.* It is ordanit that the band concerning the gilderis be drawin vp togidder with the band for the tounes releiff.

R. Hardie. Item that Robert Hardie, baillie, go to Forres on Wedinsdaye the 16 of this instant to the Committie of Forres and to

present the band to tham for the toun of Elgines releiff anent the gilderis, etc.

Merches. It is ordanit that the merches of the toun of Elgin salbe riddin on the 12 of Julij nixt and the toun to be adverteist to that effect.

Powder. Item that the powder be putt within the kirk steipill in ane kist and closit within the littill wolt.

Nota. To speik Bessie Inglis anent hir wmq^{ll}. husbands halbert.

June 21st.—*Suspensione—Garmoche.* It is appoyntit that the doubill of the suspensione raisit at the instance of the toun of Garmoche aganis Elgin be extractit fra Jo^{n}. Nicolsone, and send north be Robert Hardie, commissionar.

Item that Robert Hardie quhen he gois to Edin^{r}. provyd ane drum for the toun of Elgin.

July 5th.—*Anent the entrie of ane outlandische air to ane burges.* The Counsell taking to thair considderatione the great burdingis and weychtie effeiris everie daye occuring wherthrow the commoun guid is exhaustit, and also that the ordinar compositione of burgessis now far aboue that qlk thai war in vse to paye of old hawe thairfor statut and ordanit that the composition and entrie of ewerie outlandis air to onye burges thair wherby he may reap the benefit of onye commoun landis of Elgin salbe ane hundreth merks money and mair according to the worth of the benefeit that he sall receawe thairby, and ordanis this claus to be insert within all the few chartouris of the few landis of the said burghe so that for the fourtie pundis insert within the said chartouris of old the hundreth merks to be insert thairin in all tym cuming.

July 5th.—*G. Imloche.* George Imloche, wrycht, becom actit that he sall nocht cast peittis nor turves within the marches of catt tayllis.

July 19th.—*Band anent the gilderis.* The Counsell hes condescendit that quhat persone of the burgessis of this burghe that are contenit in the Band grantit to James Murraye for the gilderis that refuises to subscryve the said band and go on with the counsell theranent in that caice he that refuises to subscryve the samyn to be instantlie wardit q^{ll}. he paye his pairt of the said band at leist q^{ll}. he subscryve and go on with the rest.

Scheararis in harvest. It is appoyntit that the officeris sall go throch the toun and tak wp ane not of the seruand men and wemen that schearis in harvest and present it to the baillies on Wedinsday nixt the 21 instant immediatlie eftar the morning prayeris.

September 27th.—*G. Smyth.* George Smyth, burges of Elgin, wnlawit in 4 lib. for couping of talloun and selling of the samyn furth of the toun and is becum actit that he sall not sell talloun in tyme cuming furth of the toun wnder the payne of x lib.

October 4th.—The cordoneris and fleschouris ordanit to be warnit to the court aganis Thursdaye nixt for brek of statutis the 7 instant and to be fynit on Frydaye thaireftir eftir the sessione. Item the statutis to be reveisit on Frydaye nixt the 8 instant and to be proclamit on Setterdaye thaireftir. Item the magistrattis of the toun to revise the stoupis and stabilleris measures on the 11 October instant.

October 9th.—*Toune wreittis.* Nota. The sex peice of the tounes wreitts qlk Andro Baxter brocht from the south (anent thair exemptione and to be frie fra compeirance wpon assyise) delyverit back to Nicolas Dunbar to be put in the cadgett.

October 18th.—*Act anent the taking furth of waird of persones convict.* It is appoyntit that quhatsumeuir persone that salbe convenit befor the provost and baillies of this burgh for bluid blae or anye wther ryott committit be tham and in caice they be convict thairfor and fynit in that caice they nocht to be releasit furth of waird furth of the tolbuith q^{ll}. the fyne be payit and quhatsumeuir persone of the counsell that takkis tham furth of waird salbe comptabill to the thesaurer for the said fyne thai salbe wnlawit in.

November 1st.—*Tounes cordoneris fynit.* Cordoneris [16] fynit for selling of deir schoone [20s. to 40s. ilk ane].

November 8th.—*Fleschouris.* Thomas Gillimichaell, fleschour [and 8 others] fynit in 2 to 4 merks ilk ane.

December 6th.—*G. Gordoun—Wm. Weir.* George Gordoun in Strathbogie fynit in tuentie pundis for trafficting and vsurping the libertie of ane frieman as ane non-resident burges incaice he mak not himself burges again Witsondaye. William Weir in Carnefeild in Enzie becom actit to mak himself burges of sum frie burghe and mak his residence thair and to report his burges bill heir betuix this and Fastinges evin ellis sall leawe traiding or ellis sall mak him self freman of this burgh again the said terme wnder the payn of fourtie pundis.

December 13th.—*Junckein, fleschour—J. Myln, burges.* David Junckein in Finfane, fleschour, ordanit to be warnit to this daye aucht dayes for selling of his hyids and skynnis befor hand and nocht bringing

tham to the mercat. James Myln, merchand in Elgin, becom actit to paye to the tounes thesaurer for his friedome fyiftie merkis money at the termes following to witt ten merks in hand at his admissione &c.

1642.

January 3rd.—The ventenaris of wyne to be warnit to Thursdaye nixt eftir the prayeris in the morning, viz., Elspet Annand, Issobell Hardie, Agnes Anderson, Bessie Innes and Girsell Mawer.

R. Dunbar. Robert Dunbar, merchand burges of Eigin (for the offence done be him judicialie to James Douglas, and William Falconer, baillie, being sittand in judgement be his wordis quhilk wes qualefeit) is ordanit to tyne his friedome and his buith dur to be arreistit for his fault.

January 17th.—*Wm. Warden.* William Warden in Elgin is fund to haue tint his friedome and is ordanit to sitt tua houris in the stokis on ane Setterdaye befor tuelf houris and that for the wrong done be him to Robert Dunbar, officiar, in executing of his office.

January 31st.—*R. Dunbar restoirit to his friedome.* The Counsell hes restoirit Robert Dunbar, merchand, to his friedome and burgeschip in integrum etc. with all the frie liberties of his burgeschip als frielie in all respectis as he wes and had the samyn befor the samyn wes tayn fra him.

Robertsone. William Robertsone, litster, is ordanit to stand in waird fourtie aucht houris or ellis to paye fyve pundis and als to cum on Wedinsdaye nixt in presens of the Court and acknowledge his offence and ouersight in nocht cuming to the baillie when he send the officer for him as als is actit that he sall nocht recept William Torrie, soiour, within his hous in tyme cuming wnder the payn of xx lib. as als it is appoyntit that quhatsumeuir magistratt salbe aduerteist quhair the said William Torrie salbe fund within the burrow ruidis of Elgin in that caice the said magistrat to pas and apprehend him and delyver him to Capitan Gordoun.

February 21st.—*Innernes men—Wecht hous.* The counsell are contentit that the Innernes men at this present mercat of Fastinges evin sall have the vse of ane of the laich woltis wnder the tolbuithe for weying of thair woll and to haue the vse of the weychtis for paying for.

March 28th.—*Lyning of Croftis.* Thursdaye the last of March instant is appoyntit for lyning of the croftis of Elgin bewest the moss wynd and the lynsteris of the toun with the provest and thrie bailllies to be present that daye with the clerk be nyn houris.

April 11th.—*Tak of the Guis cruik sett to Wm. Torrie, yr.* Guis cruik sett to William Torrie yr. for fyve zeirs with the buttis aboue the brig thairof pertenying thairto for zeirlie payment of aucht merks sex s. viii d.

Officiaris and thair garmentis. The Counsell hes appoyntit the four officeris to be furnissit be Andro Annand, thesaurer, of ane syid taillit cott to ilk an of tham with ane pair of breikis and ane pair of schankis of blew grayis at 24s. the elne at the maist and thai ar becom actit to wair thair halbertis wpoun the calsaye.

May 23rd.—*Lesley.* The Counsell hes condiscendit to giff to Patrik Lesley, sone to Stewin Lesley in Elgin, x lib. and that with this conditione that he be satlit and contractit with ane Mr. and he to be his prenteis and to serue the said Mr. ane half zeir befor the first termes payment that it may be wnderstuid quhow the Mr. and prenteis accordis.

May 30th.—*Sr. Robert Gordoun his attollerance in the mos of Mostowie for ane zeir.* The Counsell gewis licence to Sir Robert Gordoun and his tennents benorth the loch to cast fewall within the bounds of Mostowie for ane zeir allenarly.

June 6th.—*Mitchell and Watson convict in xl s.* Thomas Mitchell and Alexander Watsone, fleschouris in Elgin, in thair avin presence ar convict in xl s. pro rata for oversycht done to Mr. Jon. Haye, provest, in selling of ane forder leg of beiff to ane wther eftir he haid coft the samyn as als ar ordanit to set cautione that thai sall enter thair persones in waird on Thursdaye nixt the 9 of this instant at sevin houris in the morning and waird till Frydaye thairefter till ten houris befor noone.

June 13th.—*Stent to be laid on the toun of Elgin.* The haill counsell resolues that thair salbe ane stent for 400 merks laid on the burgesses and inhabitantis of this burghe for defraying of thair commissaris chairges in going to the parliament, assemblie and conventione of borrowis and wtheris thair debtis tayn on be tham in the publict.

Patrick Chalmer—Act anent reset of strangeris. Patrik Chalmer convict in xx libs. for contravening the act maid in Marche, 1638, in setting of housses to strangeris.

July 18th.—*Merchandis anent thair weychtis.* The Counsell ordains that the haill merchandis and traddismen with stapil wairs ar ordanit to be warnit to compeir befor tham on Frydaye nixt, the 22 of July, immediatlie eftir the sessione to the effect that intimatione maye be maid that thai sell thair waires with trone wecht.

A. Stalker. The Counsell ordanit Andro Annand to giff out of the puir folkis money tua croce dollouris being v lib. 6s. 8d. to Andro Stalker, goldsmyth, to help him in his necessitie being depauperat.

July 19th.—*Act anent Jo^n. McGown, zo^r.* John McGown, yr., of his awin frie motiwe will becom actit to remove him self furth of this paroche and nawayes to returne again thairto in onye tym cuming without licence and permissione of the magistrattis of this burghe for the tyme wpoun sycht of ane sufficient testimoniall of his reformatione and amendment of lyiff and iff he happin to do wtherwayes he wes content to tak vpoun him all the crymes and faultis for the quhilkis he hes bein censurit and punischit be tham in onye tyme bygan be wairding of his persone and putting of him in irnes, stockis and joggis sic as continewall breking of the Sabboth in ryotting, drinking, cursing, swearing and swaggering and in preissing to force women, in frequent bluid drawingis and monye wther outraiges and crymes lyik as he in this caice wes contentit to be hangit but dome or law.

Ita est Nicolaus Dunbar notarius publicus de mandato dicti Joannis McGown scribere nescientis ut asseruit, etc.*

October 31st.—*Murdoch—Chalmer.* Thomas Murdoche, skynner, confessit that Patrik Chalmer and he wer conpertineris of tua packis of woll and that with the said Patrik his consent thai haid sauld the said tua packis to Andro Innes, sone to Jo^n. Innes in Garmoch, and that thair wes threttie stan in ilk pack at tuentie pund weycht for ilk stane.

Frydaye nixt, the fourt of Nov^r., is appoyntit for trying of the stoupis and cogis.

* A Commission, appointed by Charles I. in the Scottish Parliament, 16th November, 1641, and including James Grant of Frenchie, James, Earl of Murray, and Sir Robert Innes of that ilk, sat at Elgin from 10th to 12th August, 1642. These, with the Marquis of Huntly and others, were present. The chief object of the Commission was to deal with the Clan Gregor, John Du Gar (one of the Macgregor leaders), and other "Hieland lymmaris" and their receivers. The receivers alone could be got hold of, and they were severely fined and punished, although they pleaded that they durst not refuse the robbers meat and drink for fear of their lives and property.—(See Spalding's "Trubles," II., 176). (From the "Chiefs of Grant.")

November 3rd.—*A. Culback fynit in 20s.—G. Smyth—Burnet—J. Coban.*—Alexander Culback warnit to this daye to have bein tryit anent talloun callit, nocht compeirand, the counsell fynes him in xx s. for his nocht compeirance and ordanit to be poyndit or wairdit thairfor. George Smyth comperit and being preiwit for nocht making of plack candill for the vse of the kingis lieges he hes oblist him self to mak sufficient plak candill and wther candillis conform to the statutis. Margrat Burnet becom actit in maner conform to George Smyth. Jo^{n}. Coban becom actit for Jonet Key, his spous.

November 7th.—*Fir^{s}. and peckis—Draff.* Tuysdaye eftir tuelf houris nixt the 8 of November instant is appointit to trye the north syd of the toun for the stoupis, etc. Weddinsdaye nixt is appoyntit for trying of the draff that gois furth of the toun. Item that ane sufficient peck of tymmer be maid for the draff.

November 14th.—*Chalmer and Murdoche fynit in 20 merkis.* Patrik Chalmer and Thomas Murdoch, skynneris, ilk ane of tham fynit in ten merkis money and that for selling of tua packis of woll in great to Andro Innes in Garmoche and ordanit to remayne in waird q^{ll}. the samyn be payit.

Alex^{r}. Russell to be admittit burges. Alexander Russell, sone naturall to William Russell in Pettindreich, with the haill consent of the persones of counsell, is ordanit to be admittit ane frieman and conburges of this burghe and to receawe his fredome on Wedinsdaye nixt the 16 of this instant and to giff his ayth that daye and for onye satisfactione he suld mak thairanent the provest, Mr. John Hay, hes tayne him in his awin hand as his burges betuix Michaelmes last and Michaelmes nixt.

W. Russell to be admittit burges. The said William Russell in Pettindreich is ordanit be the counsell to receawe his friedome and to be ane burges of the said burghe with this conditione that incaice he wse onye merchand traid except in bying of victuall in that caice he mak his residence with the said burghe or ellis to tyne his friedome and to that effect to compeir on Wedinsdaye nixt to giff his burges ayth as wse is.

November 22nd.—*Innes and Wilson.* Robert Innes and James Wilsone, skynners, to receawe thair friedome and burgeschip on payment of fyiftie merkis ilk ane of tham.

1643.

January 9th.—*A. Russell and A. Troup, friemen.* Alexander Russell, chaipman, and Alexander Troup, naturall sone to Wm. Troup, portioner of Cruikmuir, admittit friemen on payment of 50 merks.

February 6th.—*Compt betuix the Counsell and Mr. John Douglas thair commissioner.* Anent the compt gewin in be Mr. John Douglas anent the expensis and dayis allowance in going South and thair remayning and cuming home beginnand on the 20 day of November, anno 1641, to the 28 day of March 1642 zeiris, being aucht scoir dayis at 40s. ilk daye is 320 pundis, and for his deburmentis debursit be him anent the passing of the toun of Elgines patronage of the kirk of Elgin, and thair is fund restand to him and all the moneyes he receawit befor allowit the sowme of 123 pundis 6s. 8d. qlk the Counsell ordanit the thesaurer to paye him.

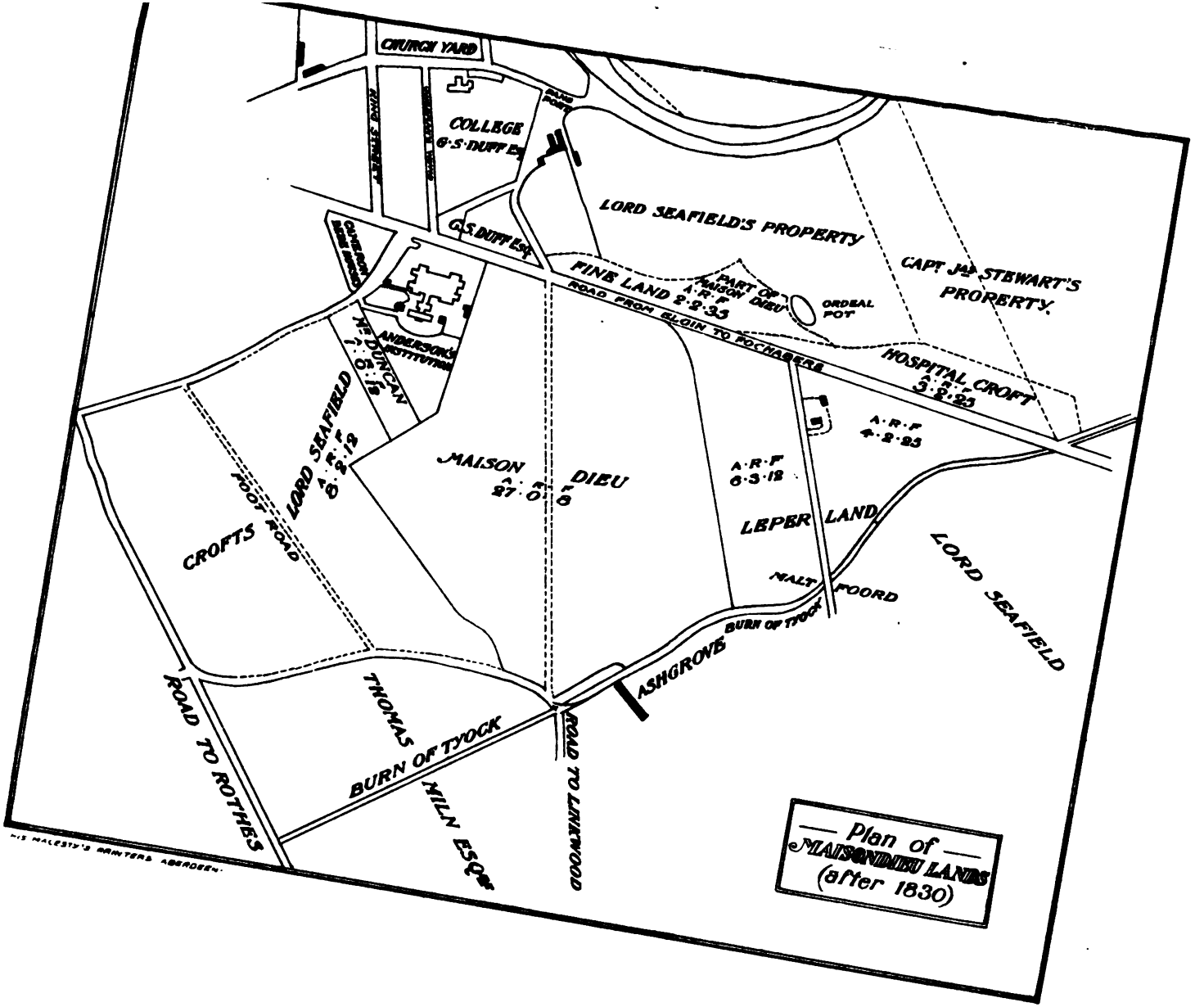
April 3rd.—*Chalmer.* John Chalmer alias bull is fynit in 4 lib. for earing out upoun the south syd of the Gallowhill gaitt and to bring to that boundis four stanes of 3 fitt of lenth ilk ane upoun his avin expensis and arreistit in waird quhill the samyn be done.

April 24th.—*Act anent the intaiking of lands.* It is statut and ordanit that na proprietar, possessour nor labourar of the grieschip landis of Elgin, croftis or wther commoun landis of the said burghe presum nor tak vpoun hand to tak in anye of thair nychtbouris landis nor incrotche vpoun their possessione wnder the payn of ten pundis by and attour the reparatione of the wrong and assythment to the partie at the counsellis pleasur als oft and quhow oft as thai salbe fund to contravein.

May 15th.—*Ryn of Lossie.* The couusell appoyntis theis that castis the ryn of Lossie [at the Palmer fuird] to haue for ilk ruid thairof that thai cast 26s. 8d.

June 6th.—*Waponeschawing.* The third day of Julij nixt being Monondaye is appoynted for ane waponeschawing for the burghe of Elgin.

June 19th.—*Tymmer brig of Lossie.* Thomas Grant, wrycht, Jo^n^. Nawchtie, myllar, and James Wood in Shereffmyln, ar ordanit to be spoken anent the building of the tymmer brig to be put on Lossie at the Palmer fuird.


CHURCH YARD
KING STREET
COLLEGE
G·S·DUFF Esq
G.S.DUFF Esq
LORD SEAFIELD'S PROPERTY
CAPT JAS STEWART'S PROPERTY
FINE LAND 2·2·33
PART OF MAISON DIEU A·R·F
ORDEAL POT
ROAD FROM ELGIN TO POCHABERS
HOSPITAL CROFT A·R·F 3·2·23
A·R·F 4·2·23
A·R·F 6·3·12
LEPER LAND
MALT POORD
LORD SEAFIELD
ANDERSON'S INSTITUTION
Mr DUNCAN A·R·F 1·0·15
LORD SEAFIELD A·R·F 8·2·12
MAISON DIEU A·R·F 27·0·0
CROFTS
FOOT ROAD
ASHGROVE
BURN OF TYOCK
ROAD TO LINWOOD
THOMAS MILN Esq
BURN OF TYOCK
ROAD TO ROTHES
HIS MAJESTY'S PRINTERS ABERDEEN
Plan of MAISONDIEU LANDS (after 1830)

Dunbar. Robert Dunbar, merchand burges of Elgin, fynit in 4 lib. 3s. 4d. for geving of victuall for draff to Helen Cuming, and the samyn to be payit to Andro Annand, thesaurer, or ellis the said Andro to get allowance at his hands for sic as the toun wes auchtan him anent the laird of Grantis cannonis.

July 3rd.—*Act anent the baxteris of Elgin.* Thomas Murdoche, skynner, becom actit as cautioner for Patrik Murdoche, baxter, his father, as also Andrew Key, cordoner, becom actit for James Key, baxter, John Hariewood, Agnes Grant and . McGown, baxter, that thai and ilk ane of tham sall baik sufficient quhyt bread, aitt bread and sour bread within thair baik housis in tym cuming wnder the payne of v lib.

July 10th.—*Mostowie.* The Counsell ordane ane of the Counsell with tua of the officiaris with William Thome, notar, to pas to that part of the boundis of Mostowie narrest adiacent to Aulddrochtie quhair thair is certan peittis and turvis cassin be James Stewartis cottaris and thair to mak civill interruptione thairto as also to caus ane shereffis officiar arreist the saidis peittis and turvis at the counsellis instance.

July 13th.—*D. Watt fynit in 8 lib.* David Watt in Innernes is fynit in aucht pundis money and that for selling and copping of woll within this burghe aff of ane publict mercat daye.

July 24th.—*G. Abernethie maid offer of victuall.* George Abernethie in Weik of Cathnes maid ane offer to the toun of xx bollis meall and xx bollis beir for xi merkis the boll of hand money.

July 31st.—*G. Abernethie in Cathnes.* The magistrattis and counsell being informit that George Abernethie had sauld the said victuall to Alexander Innes in Old Mylnes for ten merkis the boll the samyn to be tayn notice of and he censurit thairfor at his first cuming to the toun and cuntrey.

August 7th.—*Huikis in harvest scheiring on the landis haldin of the toun.* It was ordanit that the lands of Mostowie, Divelligrein, Glasgrein and Barflethills and possessoris thairof sall injoye the lyik libertie of feing of huiks in harvest as the inhabitants of this burghe hes.

August 28th.—*Nota. This old decreit and letteris to be put in the cagett and the new letteris to lye in the clerkis handis.* Mr. John Douglas, commissionar for the toun of Elgin, hes delyuerit in counsell the tounes wreittis delyverit to him viz. the old decreet obtenit befor the lordis of Sessione aganis the shereff of Murray anent the dischairgeing of him to

vsurp wnlawis jurisdictione wpoun the said burghe with letteris of horning thairupone with letteris for lowsing of arreistment of guidis belonging to the inhabitantis of the said burghe. Item the said Mr. John delyverit bayth the saidis letteris renewit in king Charles name togidder with generall letteris aganis wnfrie traddismen with the tua equies with the exemptione and theis to be put in the caggett.

The tuentie fyift day of September, 1643, convenit in counsell Mr. John Hay, provest, Alexander Lesly, James Douglas, Mr. John Douglas and George Cuming, baillies, Mr. Gavin Douglas, Robert Hardie, William Falconer, Mr. James Annand, Andrew Annand, Jo^n^. Myln, Thomas Calder, Wm. Layng, Wm. Robertsone, Alex^r^. Russell, and Nicolas Dunbar, persones of Counsell.

Electione of Magistrattis to bear office betuix Michaelmes 1643 and Michaelmes 1644. The qlk daye the saidis persones of counsell having convenit within the inner tolbuith of the said burghe as the ordinar counsell hous anent the electing and chuising of the magistrattis within the said burghe for this zeir incoming betuix Michaelmes 1643 and Michaelmes 1644 to bear office within the said burghe during the said space. The heall old counsell chuisit the new counsell. The haill old counsell continewit for this zeir incuming to be councellouris.

Provest. Lytes for the provestre: Mr. Johne Hay and Mr. Gavin Douglas. The Counsell hes chosin Mr. Gavine Douglas to be provest for this zeir incuming.

Baillies. Lytes of baillies: Alexander Lesly, James Douglas, Mr. John Douglas and George Cuming removit, and with them Robert Hardie, William Falconer and Nicolas Dunbar. The Counsell hes releasit Mr. Jo^n^. Douglas, James Douglas and George Cuming, and hes continewit Alex^r^. Lesly and hes chosin and putt in the rowmes of the saids Mr. Jo^n^. Douglas, James Douglas and George Cuming the saids Nicolas Dunbar, Robert Hardie and William Falconer to be the four baillies for this zeir incuming.

Thesaurer. Lytes of thesaurer: Andrew Annand, George Cuming and Thomas Calder. The Counsell hes changit Andrew Annand for this zeir and hes put in his rowme the said Thomas Calder to be thesaurer for this zeir incuming.

Clerk. James Douglas chosin clerk for this zeir incuming.

Dean of Gild. The haill counsell chuisit the said George Cuming to be dean of gild for this zeir incuming quha hes gevin his ayth etc.

The qlk daye the haill counsell all in ane voice respecting ane petitione gevin in be the merchands of this burghe to them have statut and ordanit that there salbe ane dean of gild and to have als great priviledge as anye burghe of this kingdome and ane discreit man to be chosin be the said counsell of Elgin zeirlie to bear that office and for this present zeir also and the said dean of gild to do be the counsell of Elgines advyis aganis ther nychtbouris and resolutione to be haid from vtheris burrowis.

Fiscallis. Mr. James Annand and William Layng continewit fischalls for this zeir incuming.

Officeris. The haill old four officeris continewit for this zeir incuming.

Removing of Counsellouris. It is concludit be the Counsell that in caice onye of the counsellouris salhappin to be removit off of the counsell zeirlie in onye zeir that ther salbe tua at leist removit q^{n}ever thai be removit.

Anent bearing office for thrie zeiris—Anent the chuising of sum of the members of court. It is statut and ordanit be the haill persones of counsell that neither provest nor baillie sall bear office within this burghe na longer nor thrie zeiris togidder successive, and that the clerk, dean of gild, and the rest of the memberis of court to be chosin zeirlie *ad arbitrium consilii* of this burghe.

October 2nd.—John Hardie hes payit to Andrew Annand, thesaurer, for his entrie to the auchten partis of landis tuentie aucht s. 4d.

October 9th.—David Mailling, zounger, gunsmith in Elgin, became acted iudiciallie nocht to remove furthe of this burgh to remayne therfra but the magistratis licence haid and obtained thairto wnder the payne of fourtie pundis money to be payit be him to ther thesaurer in ther name.

October 24th.—Alexander Murray, belman, began to find aucht 4d. candle nightlie to the kirk.

October 27th.—Alexander McKenzie, servitor to James Gibson of Muldarie, receavit as comburges and fremen gratis.

November 6th.—Comperit William Tarres, skynner, quha being accusit for bying of tallone within the toune and selling the samyn furthe thairof confessit the bying of sevin or aucht steanes anno 1642 and selling of it to Androw Aberdein, burges of Aberdein, and fynit in four pundis thairfor to remain in waird for payment thairof and becam

actit nocht to by tallone within the toune to sell furthe thairof heirefter wnder the payne of xl. lib. toties quoties.

Stanes for the Palmerfoord. The counsell concludit and ordained that everie heritour of the auchten pairtis sall lead to the intak of the water of Lossie at the Palmerfoord four lead of stanes for ilk auchtenpart.

November 13th.—James Kay, cordinar, accusit for break of statutis confessit the taking of fourtie s. or thrie pundis for schoone and refuisit to give ane compt q^{t}. he tuik for his ledder and declairit that he knewe nocht q^{t}. concience the counsell haid to censure him for his trade or be q^{t}. law they could doe the samyn and the counsell fynes him in ten pundis money for deir selling and loss of fredome for his wndiscreet speeches and arrestit in waird till he satisfie the said sowme. [Fifteen cordiners are also fined from ten merks to 53s. 4d. for breach of statutes.]

November 20th.—John Thomson, flesher, alias birsie, haiffing confessit the break of statutis wnlawit in aucht pundis money. [Several other fleshers are also fined.]

December 4th.—William Myll, burges of Elgin, becom actit of new to present befor the provest and baillies Jo^{n}. Bruce in Cowsie on the sext of December instant for the ryot committit be him aganis Alexander Culbock wnder the payne of ten pundis money by and attour the penaltie conteanit in their former act.

It is appoyntit that the haill skynneris and wtheris tradismen except the merehands be summondit befoir the tounes court for thair weghtes ilk Weddinsday for break of the statute thairanent.

1644.

January 8th.—The haill fleshers ordained to be wairdit boith tunismen and landward.

The last proclamatione anent the tounismen that nane tak on with any commander heirefter till the counsell give warrand to that effect with certificatione they sall never be resett within this burgh again.

February 26th.—Thomas Calder, now thesaurer, hes receavit Colonell Frasers band on vi^{xx}iiij lib. xvi s. The counsell appoyntes the four baillies to compt with the weemen that quartered Colonell Frasers sojors and to pay thame in the first end of the loan money.

March 4th.—The counsell ordains Androwe Annand to keip his pulder and laid for the tounis wse quha hes promised to doe the samyn. Item that the haill toune be advertised to haue ther muscattis and gunnis in readiness with ball conforme and pulder to be presentit in counsell the xi of this instant Marche wnder the payne of fyve pundis money.

March 18th.—The persones of counsell convenit condescendit that Alexander Browster, pundler, sall hawe for attendance of the cornis of everie auchtenpart of the grieschip landis ane peck wictuall this zeir 1644 and the heritor of the auchtenpartis to be comptabill for the possessoris the said Alexander making haill cornes and gress or then to schowe the distroyers thairof and tak thair poyndis.

March 25th.—The counsell appoyntis the drum to goe through the toune with the proclamatione for desyring of sojors to goe for the toun to the aermie in England quha sall haue of levie money tua dollaris, ane pair of newe schone etc.

April 20th.—The Counsell ordained Thomas Calder, thesaurer, to delyver to the provest ten dolloris to be giffin to Capitane George Smyth for his paynes takin and to be takin on the touns sojors. Item it is appoyntit that Thomas Calder, thesaurer, delyver to the sojors 4s. ilk day beginnand the 22 instant.

May 10th.—Mr. John Hay, appoyntit commissioner to goe to the committie at Turreff the 16 of this instant with the committie of warre there with the Marqueis of Ardgyll. It is appoyntit that Mr. John Hay sall hawe 40s. ilk day till his hame cuming and to haue sextein pundis money in hand till compt.*

June 10th.—It is condiscendit that the four baillies pay furthe of fyve hundrethe merks restand be the toune to the laird of Brodie and John Hay of Knockaudie the haill restis restand on ther quarters be the Marqueis of Ardgyllis troupers extending to iij^{c} and vii lib. 18s. and the rest to be put in the cadgett with the loane money.

June 13th.—The qlk day Alexander Watsone, flescher, dispensit with Robert Watsone, his sonne, to be ane sojor for the toune in name of the fleschers, and Thomas Mitchell, Alex^{r}. Sutherland, Johne Stronnoche

* James, Earl of Murray, as Colonel of the Moray regiment of horse, appointed the Laird of Grant his Lieutenant Colonel (1st April, 1644). The Earl of Moray is said to have been a Royalist at heart, and took no active part himself. The Laird of Grant called out the vassals of his brother-in-law, and they assembled at Elgin to the number of about 1000 horse and foot.—("The Chiefs of Grant," I., 17.)

and Jo^n^. Thomsone, "birsie," fleschers are becom actit to furnische the said Robert in intertainement at 4s. a day with armes and cloathis sufficientlie.

Act anent flesches. Ilk ane of the fleschers are ordained to sell thair best muttoun at 36s. and the secundary at ane lower pryce according to the worth tuix this and St. James day wnder the payne to be censured as breakers of the statutis.

June 14th.—Thomas Purs, wobster, accusit for the bluid and blae giffing to Bessie Donald, his spous, in ane extraordinar way being personally warnit be Jo^n^. Douglas is wnlawit in fyve pounds money and is appoyntit to be instantlie wardit during the magistratis will and George Purse, his brother, becam actit to enter him befoir the counsell the 24 instant vnder the payne of ten pundis money.

June 20th.—Alexander Anderson for bluid giffing to William Sutherland is wnlawit in fiftie punds.

June 24th.—*Stent off 200 lib.* It is appoyntit that ther salbe ane taxt laid on the haill towne boith traddismen and wthers for mantenance and rigging furthe of their sojors extending to tua hundrethe pundis to be stentit be Alex^r^. Leslie, William Falconer, baillies, etc.

July 1st.—The counsell appoyntis Thomas Calder, thesaurer, to give to the begger callit [blank] Fraser, ane of the sojors tua s. 8d. daylie beginnand this day and to pay ten s. of wages bygain at 2s. onlie ilk day advanced be Robert Dunbar, officer.

July 8th.—Andrewe Annand is appoyntit to try James Myllroy if he will set us George Donaldsones barne for ane song scuill.

July 15th.—Robert Gibsone of Linkvoods to be summondit to the 17 instant befoir the counsell to be accuisit for wynning out of the tounis mures and commone gait on the stane corsehill. Item to haive ane cair to challang Alex^r^. Oliphant in Caithnes for selling wictuall in Garmoch wnoffered to the towne and that he may be wardit till he set cautione for compeirance befoir the counsell for that effect.

July 22nd.—William Sutherland, notar publict, burges of Elgin, being accused for extracting of ane Instrument to Alexander Innes of Coxstoun against the magistrats of Elgin wherein he omitted that whilk wes mest necessar to be insert for the magistrats behoue notwithstanding that he wes required and advised to insert the magistrats ansuer in the said instrument and also being accused for his contumelious and reproachfull

speeches of the magistrats and counsell the said William compeirand confessit the giving out of the said instrument in manner forsaid but denyed the contumelious speeches qlk notwithstanding were proven be two famous witnesses and therefore wes ordanit to lose his burgeship and to be in the counsellis will for his miscariage for his forther punishment.

July 22nd.—Robert Gibsone of Linkwoods taks the 29 instantis to compeir befor the counsell and to give his ansuer anent the intaking of the tounes mures in Glasgrein and of the way on Stanecrocehill.

William Edward for reset of Hiland Margt. fynit in 4 lib. and John Davidsone for the reset of Alexander Rynes fynit in 3 lib. 6s. 8d. and ordained to remove the saids persones wnder the payne of poynding of their persones.

[Leaves amissing and Minutes lost between 22nd July, 1644, and 13th April, 1647, except one entry.]

1646, November 23rd.—Cordinaris [16 in number] in Elgin, Dollas, Monachtie &c. wnlawit (from 2 to 21 lib ilk ane) for break of statutis. Carteris [9 in number] fynit 13s. 4d. ilk ane for transporting guidis in cartis alongis the brig of Lossie.

1647.

April 23rd.—It is appoyntit that the haill breweris and selleris of drink and aquavitie be present ilk Setterday within the tolbuithe at ellevin houris for payment of thair excyse with certificatione if thay compeir not the rigor of the excyse salbe enacted.

April 26th.—*Merchandis for thair excyse.* George Cuming, baillie, declairit that he haid no excysabill wairis except to the worthe of 106 lib. 13s. 4d. Walter Hay, merchant, to the worthe of 143 lib. William Tarres, 79 lib. 6s. Alexander Stevin, 72 lib. Hew Hay, 22 lib. 8s. David Dunbar, 94 lib. Thomas Calder, 51 lib.

Kempis aiker and the Calff waird to be roupit.

July 5th.—*Traffecters beyond Spey.* It is appoyntit that theis that hes traffected besouth Spey since the last bank be cited and punisched conform thairto.

Maisteris to watche. It is appoynted that all M^rs. of famlies of quhat degree soever watche his night about as it sall come to him and thais that goe fra hame sall leave ane sufficient man for them wtherwayis the contraveineris to be instantlie poyndit for fourtie schillingis.

July 12th.—*Act—Gordoun and Ross.* Adam Gordoun, merchand burges of Aberdein, and Patrick Ros, seruitour to Andro Adame, mer^d. burges, becam actit in respect of the plague in Aberdeen and thair residence heir not to commune nor speak with any that comes fra the said bru^ch heirefter but licence haid and obtained fra the magistratis of this bru^t. with certificatione if they contravene they sall haive no entres within this burghe againe during the said plague and thair haill guidis within this bru^t. confiscat to the townes wse.

(Signed) A. Gordoun. Patrick Ros.

Act—Mallice, Winsister and wtheris. Robert Mallice, William Winchester, Jo^n. Chalmer (nolo), Peter Winchester, Thomas Warrand, Jo^n. Rag, burgesses of Elgin, becam actit not to traffect beyond the water of Spey nor buy any that comes over the samyn or to the portis but licence grantit be the counsell wnder the payne of ane hundrethe pundis money.

Act anent thais that are at the port. It is inacted that none drink or eat or receave moneye fra thais that are holdin at the port wnder the payne of fourtie pundis and closing wp of thame selffis.*

September 17th.—*Infor: contra Innes.* William Edward declairit judiciallie that he being in his owne hous on the 14 instant in his bed about ten of the cloak at night Robert Innes in Auldmills cam rusching

* 12 April, 1647.—The said day the haill toun for the maist pairt being convenit within the laich counsellhous of this burghe be tuk of drum, it was exponit to thame convenit as said is, be the said Patrik Leslie, proveist, that the magistratis of this burghe hade receaved certaine intelligence that the plague of pestilence wes raging in Bervie, and the said provest desyrit the saids inhabitants convenit as said is, that they wald tak head to themselues and acquaint thair nichbours wha wer absent that they receave nane within thair houssis comeing from the south without ane sufficient testimonlall that they haue not been in any suspect place of the plague, and for that effect ordanit ane watch to be keipit nicht and day be the inhabitants at all passages, to wit, at the Bridge of Dee, Blokhous, Crabstane, and other pairts about the toun.—(Extracts from the Council Register of the Burgh of Aberdeen, 1643-1747: Scottish Burgh Rec. Soc.)

A fortnight later the Magistrates of Aberdeen, being alarmed at the outbreak of plague at Petmuckstoun, brought by a woman from Brechin, where the infection was raging, and there being a suspected case even in the burgh itself, took more stringent measures, appointed a strong guard of six score men, ordered all idle and stranger beggars to be removed from the town, all cats and dogs to be killed within forty-eight hours, and poison to be laid for "myce and ratons." The plague, however, spread, and the Town Council suspended their meetings from 26th May till September, 1647.

in and said gait ane light and that he wald mak ane light for himself and with this threw in the stool in the fyre and that the watch fled out at his back doore for fear in throw the tuttouris yaird and that they cam to the yeat and hard and saw the said Robert Innes brak up bares and rungis of the carttis. Agnes Jameson declairit that quhen she haid inquyrit of the watch quha haid brokin hir cairt they told that Robert Innes haid brokin the samyn altogidder except the quheillis barres and bottome rungis and that the said Robert haid promeissed to mak wp the samyn to hir. William Brand, wobster, declairit quhen Robert Innes cam to the port he and the rest of the watch were standeing at William Edward's doore and he cuming to the poirt cryed quhair ar thir dammt willanes and with that he cam out of the poirt and sweir he sould cutt them all and followit the watche in to William Edwardis hous quha were forced to flie for fear he sould haue wronged them and then he cuist in William Edwardis stoollis in his owne fyre and therefter cam out and brak the cairtis.

1648.

June 21st.—*Wenteneris.* Nicollas Dunbar, baillie, declairit on tua pypes of seck, thrie punschiones and ane terce of frensch wyne. Margaret Hamiltoune declairit on ane tun of frensch wyne and ane pype of seck. Margaret Innes on ane tun of frensch wyne. Wm. Tarres three tun of frensch wyne and four butts of seck. Wm. Robertsone, baillie, ane tun of frensch wyne. Alexander Urquhart ane butt of seck. Robert Dunbar tuo tun and ane halff of frensch wyne and ane butt of seck. Alexander Petrie declaired 5 punschiones of frensch wyne and ane butt of seck. Marjorie Leslie declaired on 5 punschiones of frensch wyne and ane pype of seck. [In November, 1648, are two additional declarations]: Nicolas Dunbar 10 puncheons French wine with ane pyp of sack, and Margaret Hamilton 6 puncheons French wine and 2 pypes Spanisch wyne. [Seven declarations not entered.]

November 13th.—Comperit Alexander Innes, cordinar, and declarit that he haid tayn onlie tualff schillingis for singill soillit schoone bot that he haid tain ordinarlie for menis double soillit schoone 26s. 8d. and sometymes 30s. and 16s. for weemen's double soillit schoone. His censure continewit till the rest of the cordinaris be censured.

December 11th.—*Keyis of the cadget.* The thrie keyis of the townes cadget were delyverit in keiping ane to Nicolas Dunbar and the wther to William Layng, baillie, and the wther to Robert Hardie.

1649.

March 12th.—George Cuming, thesaurer, appoynted to mend the brig of Lossie.

March 19th.—Ane bank ordained to goe throch the towne dischairging all inhabitants within this brut. nocht to tak on with any commander till first the towne be serued wnder the payne of banishment furthe of this towne and never to haue entres within the samyn.

April 11th.—William Crombie, merchand, ordayned to be maid burges for payment of 20 pundis moe. becaus he is to marie ane burges doghter quha wes ane counseller.

Setterdayis mercat chainged. The Counsell in obedience of the Parliament and Generall Assemblie hes resolvit to change thair Setterdayes mercat weiklie to Fryday.

May 18th.—The Counsell have giffin power to Mr. John Hay, provest, to offer for the excyse monethlie thrie scoir lib.

August 27th.—Robert Sutherland becam actit as caution for Alexander Glas, violer, that the said Alexander sall keip ordour within this burgh and that he sall not play at penny brydellis nor efter eight houris at nyght and he sall remove himselff wyff and familie preceislie at Mertimes nixt wnder the payne of tuentie pundis.

October 1st.—*Act anent selleris of aill and beir and aquavitie.* It is statute that na brewer within this brughe presume efter the proclamatione heirof to tak any pryce for beir and aill except onlie tuentie pennys the pynt wnder the payne of ten pundis moneye and punischment of thair persones at the will of the magistrattis and that they tak no hier pryce for aquavitie nor 26s. 8d. wnder the payne forsaid.

October 8th.—*Excyse of malt monethlie.* The brewsteris appoynted to pay for the moneth of October instant and heirefter till the counsell forder advyse for ilk boll malt that salbe brewin be tham tualff schillingis money of excyse.

1650.

April 22nd.—*Ane bank aganis feing sojors.* The provest, baillies and counsell convenit appoynted ane bank to be send throch the towne dischairging all inhabitantis within the samyn that thai sould nocht fie thamselffis as sojores to any persone heerefter wnder the payne of banischment and wther punischment at the will of the magistratis.

Bank aganis selling of pulder and lead. Na men within this brughe to sell pulder or lead to any persone but licence haid fra the baillies wnder the payne of tuentie pundis and punischement of thair persones at the will of the magistratis.

May 17th.—*Sir Rot. Gordounes licence.* Anent the missive giffin in be Sir Rot. Gordoun for winning and buying of peits in Mostowie the Counsell grantit the samyn for this zeir and limitat tham to tua hundreth cairthill of peittis.

July 8th.—*Tarres and Geddes.* William Tarres and Alexander Geddes being accusit for putting back ane bark that wes cuming into Germoch or any wther port with wictual they denyit the samyn.

July 15th.—*Jeane Sinclairis act.* Jeane Sinclair, relict of wmqll. Jon. Pedder, becam willinglie actit that no inhabitant within this burghe thair guidis geir and zaird salbe trublit or molestit be hir any tyme cuming wnder the payne of banischment furth of this burghe.

August 8th.—*Provest Commissioner.* That day being woited in counsell quhidder thair sould goe ane commissioner to the present Parliament the woites being speired and equall till the provest be his woite it wes fund necessar thair sould ane goe and the provest protestit that in respect of his severall former voiages in the publict southe he sould not be nominatt for the present nevertheles the counsell appoynted the provest, Mr. John Hay, to be Commissioner for pñt and he protestit in the contrair.

November 11th.—*Vintenaris tuix hallowmes 1649 and hallowmes 1650:* Elspet Annand declairit on 1 tun and ane halff qrof thair is onlie tua punschiones run and thairfor schoe is comptabill at Hallowmes next for ane tun. Margrat Innes tua punscheons run, Marjorie Fergussone 1 tun run, Margrat Hamiltoun tua tun run, Alexander Petrie receauit 3 tun Frensch wyne qrof ane punscheone spilt tua tun and ane punscheon run

and tua punscheones to rin with ane but of seck. Robert Dunbar 4 tun Frensch wyne qrof 2½ run and ane tun and ane halff to rin with ane but seck.

Francis Merschall, smyth, wndertook to mak four halbertis for the four officeris tuixt this and Andersmes nixt.

Mortcloathe delyvered to the thesaurer. John Chalmer, thesaurer, appoynted to receave the moirtclaithe and when he sendis it alandward to pay thairfoir ten merkis money and four pundis for the townes men.

November 13th.—The provest presentit a letter to the toune from Sir William Lockart daitit at Aberdeen the 30 October last.

Tua letteris presented to the Counsell. Sicklyk the said day the provest presentit ane uther letter directit to him self onlie from my L. Brodie anent a Commissioner to the ensueing parliament qlk letter is dated the 11 November 1650 and received the 12 thairof be him whereanent the Counsell haueing reasoned they found the advertisement late and the provision of moneye to be hard so that they found themselues vnable to send one.

November 16th.—*Cuming Commissioner for the Parl.* George Cuming, baillie, appoyntit commissionar for the ensueing parliament at Perth and that upone the desyre of a letter presented this day be the provest and direct be the Committie of Estaites to the Committie of the shyre of Murray desyring them to adverteis the borrowes of the said shyre for sending commissioners.

November 18th.—*Chartour of the Patronage put in the Cadgett.* Mr. Johne Douglas, provest, delyvered to the counsell to be put in the cadgett the principall chartour of the gift of the patronage with the ratificatione of parliament and the lords of the committie of parliament their representatione to the parliament of the conditione of the kirk of Elgin as the cathedrall kirk with certane old actis for provisione of the kirk of Elgin and the advocats resolutione of some questiones by consultatione proponed thairanent.

1651.

January 6th.—*Mr. Ja. Annands admissione to the clerkship.* Mr. James Annand elected clerk of the burghe, dureing the pleasure of the Counsell, in place of James Douglas deceased.

January 20th.—*Murray, belman.* Anent Alexander Murray, belman, his petitione alledging he had giuen tuentie lib. more nor wes due be him for his customes the yeare preceiding and therefore desyred allocatione thereof in the yeare succeeding. The counsell suspends there ansuer to the bill vntill they see ane amendment in the petitioner anent the ruleing of the clock and ringing of the 4 houres and 8 houres bell at morning and nycht and giff he faill in doeing duetie therein he is to have neither payment nor allocatione and himself to be warded.

February 10th.—*Officeris cloathes.* Walter Hay, merchand, ordanit to buye 16 elnes of whyte walked cloath to the officiars on the tounes charges.

February 21st.—*Inhabitants not to remoue.* Ane bank ordanit to be publischit that na inhabitant within this burghe remove thairfra vnder the paine of to be esteimed runawayes and then and there resetters to be punished.

March 1st.—*Offer maid to the L. Duffus anent the excise.* Anent the excise offered be the Laird Duffus the counsell hes resolued to give no more for the first six monethis viz. betuix the first of May 1650 and the first of Nouember nixt therafter but onlie 50 merkis monethlie and for the uther 6 monethis therafter 56 lib. monethlie.

March 20th.—*Archibald cited.* It is ordained that ane officer be direct to summond Johne Archibald, Rossyle, to present —— Archibald, his sone, befoire the Committie of this schyre for the toune of Elgine their vse.

April 16th.—*Money highted.* The said day the highting of the money wes proclaimed.

The discharge granted be Colonell Robert Dunbar, apperand of Westfeild, vpon the resett of 32 sojors is delyvered to John Chalmer, thesaurer.

Cathnes regiment. Thomas Calder, baillie, gave to Johne Chalmer, thesaurer, qlk wes receiued fra the Kathnes regiment, 80 libs.

May 21st.—*Money deliuered be the ministers to Johne Chalmer.* Johne Chalmer hes receiued fra the ministeris of the contributione to the prisoners in England fiftie nyne libs. 15s. 6d. wherof some licht money.

May 14th.—*A missiue from his Matie.* That day the Counsell hes receavit a missive from his Majestie for advanceing vpone trust ane hundreth lib. sterling for his proper vse whilk the provest hes.

July 14th.—*Kattailes—Communtie besyde Auldraughtie.* Weddnesday nixt is appoynted to visite the kattailles by the whole Counsell, Fursday next be sex houris in the morning is appoynted to go to the commontie besyd Auldrochtie and take William Cook with them for making civill interuptione and to get arrestment from the shereffe clark.

October 13th.—*Johne Davidsone.* Johne Davidsone, webster, for not cuming to watche at the towbuith on Fryday preceiding is ordained to be warded presentlie and to remaine 24 houris and als ordained to be warded untill he act himself not to cast feall and devott in the communitie except the moores.

November 17th.—*Band for England.* John Chalmer, thesaurer, delyvered ane band to the counsell granted be them to the ministers vpon fyftie nyne pund fyftein shillingis 6d. of the contributione for the releif of England.

L. Duffus band givin to George Gordone. The clerk delyvered to the prouest the Lo / Duffus band grantit to him on a thousand merkis money whilk wes a part of the aughtein hundreth merkis borrowed by the toune from George Gordone, messenger in Edinburgh, to haue bein advanced to his Matie at Stirling and whilk band wes delyvered to the said George and accepted be him in part of payment of the forsaid soume and granted discharge thereon and did then restit in the prouest's hand of the forsaid soume aught hundreth merkis whereof he delyvered the said day to the said George ane hundreth libs. money.

November 26th.—*Comissionars for Banff.* The provest, with George Cuming and Thomas Calder, baillies, are appoynted to goe to Banff to the Englishes when they come that length. The provest, with Mr. John Hay and Alexander Dunbar, are appoynted to goe to Forres to the comittie.

December 22nd.—*Assisting quarter for horses.* It is ordained that a survey that all that haue horses who are lest able to manteine them that such utheris as are able and haue none shall furnish a proportione of money for supplieing of coale and candle and vther exterordinars and als they that haue seek persons may be looked to and as they have need to gett supplie.

1652.

January 7th.—*Money at the old rate.* There wes presented be the prouest ane letter from Colonell Thomas Fitche from Innernes for proclamatione of the money to the old rate and which wes done the said day.

January 30th.—*Mr. John Hay, comissionar.* The prouest, Mr. John Douglas, presented to the counsell ane order in print from the English comissioners for sending ane comissioner from this burghe to the meetting at Dalkeith the 26 of Feb. next. Mr. John Hay nominat.

March 22nd.—*Mr. Johne Hayes report from Dalkeyth.* Mr. John Hay being returned from Dalkeith as Commissionar delyvered to the provest ane protectione for the burghe of Elgin from the Parliament of the Commone wealth of England together with ane warrand from Major G. Deans anent the cess and quarteringis.*

April 1st.—*Eng: order for ellecting Magistrates.* Mr. Johne Hay presented the Generalls warrand and order from the Commissioners of the commone wealth of England to the toune for electing magistratis and

* From "The Cromwellian Union," edited by C. Sanford Terry, M.A. (Scott. Hist. Soc., 1902), p. 73:—

*Assent of Elgin.** I, Master John Hay, Comissioner, deputed by the Burgesses and neighbors of the Burgh of Elgin and authorized by them to repaire hether to Dalkeith to attend the Comissioners of the Parliamt of the Comon wealth of England for orderinge the affaires of Scotland, The said Comissioners haveinge delivered to me the Declaracon of the said Parliament concerninge the settlement of Scotland and desired my positive Answere in writeinge to be given in to them as to the Acceptance of the Parliaments Tender in the second Article of the said declaracon and to the other thinges conteined in the paper of the 27 Februar last, doe for my selfe and on the behalfe of those represented by me retourne this Answere.

As to the Tender of the second Article, whereby it is declared that Scotland shall and may be incorporated into and become one Comone wealth with England, whereby the same goūment that is established there and enioyed by the people of that nation vnder the free state and Comonwealth of England as it is now setled without Kinge or house of Lords may be derived to the people of Scotland, I accept the said tender and assent thereto.

I also declare that wee will in the meane tyme live peaceably and obey the Authority of the Parliament of the Comon wealth of England to be excercised in Scotland, and shall be ready from tyme to tyme to offer what wee shall conceaue requisite for bringinge to effect the said Vnion and settlement with speed and best satisfaccon to bothe nations. In witness whereof I haue subscribed these pnts at Dalkeith the second day of March, 1652.

JOHN HAY.†

Vera copia: Io. PHELPES, *Secr.*

Endorsed:—*Elgin Burgh Deputy Assent, March 2, 1651.*

* Portland MSS., N. xx., 129.

† Probably John Hay, Town Clerk of Elgin. Cf. Foster, "Members of Parliament," p. 176

giving oathes conforme* together with a particular order and warrand to

* *By the Commissioners of the Parliament of England for Orderinge and Managinge Affaires in Scotland:*

WHEREAS the Burgh of Elgin haue by theire Deputy declared theire acceptance of the Defender of the Parliament of the Commonwealth of England to be incorporated into the Commonwealth of England and to be one therewith and haue engaged themselves to live peaceably vnder and yeald obedience vnto the Authority of the Parliament of the Commonwealth of England excercised in Scotland who are there-fore taken into the especiall protection of the Parliament And application hath bin since made to vs by the said Deputy prayinge our graunt and Commission whereby the said Burgh may be authorised to elect officers to governe the said Burgh Vppon serious consideration thereof and being desireous to endeavor by all good wayes and meanes that the people of that Towne may haue goverment and Justice administered Wee by vertue of the Authority on that behalfe given vs by the Parliament of the Commonwealth of England Doe Authorise and appoynte the neighbours and Inhabitants of the Towne and Burgh of Elgin accordinge to their former Rites and customes from tyme to tyme to Nominate and choose theire Magistrates and officers for the goverment of the said Towne and Burgh and Liberties theireof till further order which Magistrates and officers from tyme to tyme chosen by them are heerby constituted in the severall and respective offices and are authorised to proceed in the execution of theire severall trusts and places and in the execution of the government within the said Towne and Burgh and Liberties theireof according as hath bin vsuall and accustomed *Provided* that in all cases where formerly the name or stile of Kinge hath bin vsed in the excercise of the aforesaid goverment of the said Burgh the name of the Keepers of the Liberty of England by Authority of Parliament be inserted and vsed instead thereof *And* that the persons from tyme to tyme elected and chosen as aforesaid shall not exceed to the excercise of the said respectiue offices and places vntill this oath ensueinge be administred vnto them by such as wee shall appoynte to administer the same expressinge at the Administration of the said oath to the said respective officers the name of the respective offices they are chosen vnto

THE OATH.

You shall sweare that you shall be true and faithfull to the Commonwealth of England as it is now established without a Kinge or howse of Lords you shall well and truly execute the office of [blank] within the Towne and Burgh of Elgin and the Liberties thereof according to the best of your skill, knowledge and power: soe help you God.

And alsoe that the oath heervnder written shall be administred to every Burgesse or freeman of the said Towne and Burgh at the tyme of his Admission . . Officeis as the Oath to Burgesses and freemen of the said Burgh hath bin heretofore usually administred (that is to say)

You shall sweare that you shall be true and faithfull to the Commonwealth of England as it is now established without a Kinge or Howse of Lords And in order therevnto you shall be obedient to the iust and good goverment of this Towne and Burgh of Elgin You shall to the best of your power mayntayne and preserve the peace and all the due franchises thereof And according to your knowledge and ability doe and performe all such other acts and thinges as doe belonge to a Burgesse or freeman of the said Towne: Soe help you God:

And wee doe heerby declare that wee expect in such elections to be made as aforesaid due care be taken that all persons chosen be men of Integrity and good Affection to the peace and welfare of this Island and otherwise fitly qualified for theire Trust.

And lastly wee doe appoynte that aswell the Electors as the persons elected doe first subscribe the ensueinge declaration beinge the effect of what the Deputy of the said Burgh hath in theire name and on theire behalfe subscribed (That is to say)

Wee doe each of vs for himselfe declare our willinge and free Acceptance of and Consent vnto the Tender made by the Parliament of the Commonwealth of England that Scotland be incorporated into and made one Commonwealth with England that thereby the same goverment that is established in England without a Kinge or Howse of Lords vnder the free State and Commonwealth of England may be derived vnto the people of Scotland And wee promise that wee will live peaceably vnder and yeild obedience vnto the Authority of the Parliament of the Commonwealth of England exercised in Scotland.

PROVIDED that the first election to be made in pursuance heereof be within forty dayes after the date heereof Given vnder our hands at Dalkeith the Thirteenth day of March In the yeare of our Lord one Thousand six hundred ffifty and one.

RI. DEANE.
H. ST. JOHN.
R. GALWEY.
ROBERT . . .

(Original in the Cadget.)

Colonell Thomas Fitch to see the electione and giue the oath whilkis order the clerkis hes. John Chalmer, thesaurer, is appoynted to goe to Innernes to Colonell Fitche with the order direct to the toune from the Englishes comissionars.*

April 7th.—*Electione of Magistrates.* The Counsell convened for obedience of the order directit from the comissionars of the parliament of the commone wealth of England for electing of the magistrates and officiaris in the said burghe to governe till Michaelmes next and the old counsell chused the new as followes, of the old counsell, Robert Hardye and Jo^n^. Andersone remoued, and in their places Jo^n^. Dunbar and Mr. William Cobane elected, which the whole commones approued by the mouth of Alexander Gibsone, chosen spokisman by them. Mr. John Douglas chosin provest by the counsell and whole comones.

April 12th.—*Cess.* The counsell appoyntis Moonday nixt, the 19 instantis, to meett at 5 hours in the morning for takeing compt of the collectors of the manteinance and cess. Mr. John Douglas, prouest, delyvered to the clerk the protectione givin be the comissioners of the comone wealth of England to the toune of Elgin. Colonell Fitch gaue the oath to the magistrates and counsell and caused subscryve the declaratione.

April 26th.—*Cleane streetis.* There is ane intimatione appoynted to be published be the bell that where any dunghills are on the streettis and gittes not red that they shall be remoued and dight once before Saturday at nicht nixt, wtherwayes to be punished at the Magistrates pleasur and the dung to be taken away by any haueing pouer of the magistrates without payment.

Ale and beir. Each baillie with his officer is ordained to goe throughe his quarter and speake the brewers anent the pryces of their ale and beir.

May 13th.—*Burgessis.* Alexander Stronach [and 11 others] to be received as freemen on payment of certain sums.

The Counsell appoynted to meett on Saturday nixt to sett downe order for casting of Tyock and after the counsell disolues to visite the highe wayes at the west porte [12 men appointed for reding of Tyock].

May 27th.—*Tyock.* The morne be sex houris in the morning is appoynted to visite Tyock.

* Cf. "Protection for the Burgh of Aberdeen," p. 129; "Extracts from Records of the Burgh of Aberdeen" (Scottish Burgh Record Society).

June 7th.—The provest presented ane letter from the provest and baillies of Edinburgh with the dowble of the letter from the Conservator at Campheir anent the sending of ane commissioner to Edinburgh againe the thretein of August nixt.

Borrow Missive, 1650. Mr. John Hay delyverit the missive from the Borrowes, daited the tuentie of Marche, 1650, with the indentor betuix the toune and Mr. George Cuming, master of the Gramour schoole.

Aldrochtie. Monday nixt is appoynted to goe to the commontie besyde Aldrochtie for making civile interuptione anent the casting of peatis.

Act—Milne and Naughtie. James Milne and David Naughtie, milleris at the Bishop Milne, renunceand their owne jurisdictione in that part and submittand them selfis to the toune of Elgin are become willinglie acted as cau^r^. ilk ane for vtheris that nether of them shall cast peattis within the mose of Mostowie nor any vther comon moss within the liberties of the burgh of Elgin.

June 28th.—*Meirches visited.* The fyfteen day of Julij nixt is appoynted to visite the marches at the west and eist.

July 5th.—*Mostowie.* John Raitt [and two others] vnlawed for selling of firr from Mostowie to strangers.

July 19th.—*Chalmer, thesaurer, his comptis fitted.* Jo^n^. Chalmer, late thesaurer, haveing fitted his comptis delyvered to Alexander Petrie, pñt thesaurer, three score aught pundis ten pennyes mony with sevin pundis sevin s. of light siluer and ill siluer whairof ane evill croce doller and ane evill sixpence.

July 26th.—*Measures and Weights.* It is appoynted that immediatlie after the harvest the whole measures and weightes be visited in this toune.

October 4th.—*Leslie.* Anent the suplicatione given in be Andrew Leslie for infefting him as air to his father in umq^ll^. Helen Leslies land in respect of the loss of his fathers infeftmentis by the late trowbles the counsell granted the same to be done and new infeftment to be drawin up thereupon.

Postmaster for horse. It is condiscended that their be ane postmaster within the toune for furnishing horses vpon desyre who shall haue a roll and the clerk ane vther and the postmaster to haue tuelf pennyes of the pund for his paines.

November 29th.—*Tounes Court changed.* In respect the Shereffe courtis held on Wednesday weeklie the Counsell hes appoynted Tuesday weeklie for the tounes courts.

1653.

May 2nd.—It is ordained that the Frydayes mercat shall not begin vntill eight hours in the morning and that no commodities be sold before that tyme.*

The two companies of Colonell Ashfeild's regiment commanded be Cap. Johnes and Cap. Davies went from Elgin the 13 of Junij instant.

June 20th.—*Old Milne sheepe.* The counsell ordained the officiars to advertise the inhabitants of the Old Mylnes and these within the toune that haue sheep to remoue them from eating the tounes cornes in the west feildis before the last of this instant vtherwayes to be punished at the Counsells pleasure.

June 27th.—The Counsell ordained the thesaurer to give Daniell Hay ten merks for a parte of his fie for keeping the aughten parts and tuentie four shillings for setting the stones at the Palmer fuird.

July 11th.—*Hooks.* It is ordained that a bank be published discharging all the hookis that vses to fie without the toune be inhibited to goe out of the toune vnder the paine of the hyre gained and any that receiue them to their houses after harvest to pay ten lib.

July 25th.—*Watson, butchers fyne.* Alexander Watson, butcher, is ordained to pay tuentie merkis for breaking of Isabell Murraye's finger, the one half to the toune and the vther half to the partie.

August 1st.—*The church of Duffus @rent.* The Counsell appointed the thesaurer to prowyde the @rent of the thousand punds restand to the church of Duffus and haue it in reidines and to remember for what cause it wes borrowed and how it wes disposed of.

October 3rd.—*Order for continuing of the Magistrats.* The provest presented ane order from Colonell Lilburne for continuing of the whoie officiars within this burgh that are presentlie in office vntill new order.†

*Cf. p. 164, Scottish Burgh Records Society:—Aberdeen, 8th October, 1656. "The Counsell ordaines that no persone or persones presume nor tack vpon hand to mack mercat vpone malt, meill, shoes, timber, fleshes, wooll, or anie wther commoditie brought to the mercat to be sold befor aucht hours in the morneing in simmer and nyne houres in winter."

†Cf. p. 137, Scottish Burgh Records Society:—Aberdeen, 28th September, 1653.

October 31st.—*Nicolsone, meassone.* George Nicolsone to haue fyue punds money for mending the Bridge of Lossie.

November 14th.—*Falconeris entrie to Monbeins.* Johne Falconer, warden of the mint, presented a supplicatione for his entrie to Over Monbeins which was granted for payment of fourtie pundis to the thesaurer with the bygone few duties.

1654.

January 9th.—*Col. Lilb. order for coale and candle to Knockandie.* Delyvered to Johne Hay of Knockandie Colonell Lilburnes order for coale and candle for the moneth of May vnder his subscriptione manuale.

February 27th.—*Money giuen to the Governour of Burgie.* It wes condeiscendit that the governor of Burgie should haue fourtie schilling sterling from the toune as he wes getting from the gentrie to buy him ane horse.

March 20th.—*A Letter to Lilburne.* It is concludit a letter be sent to Colonell Lilburne anent the tounes sufferings thir sex monethis bygone.

James Milne, maltman, is vnlawed in ten pund for blood giving to Agnes Chalmer, spouse to James Chalmer, maltman.

March 27th.—*Anent poore inhabitants.* There is a bank to be published with the bell that no heritour within the toune sett houses to any after Witsonday next or suffer them to byde in the houses they haue of them after the said terme vnles they shew them selues to be able to liue without prejudice to their nighbours vthervyes the heritour to pay the triple of the meall to the toune and refound the nighbouris skayth.

April 10th.—*Act anent playing bowles and bullets at the portes.* It is ordained a bank to be beattin anent the playing of boulls or bullets that none cast either of them at the east porte bewest the sub-chantor's wynd and at the west porte be east Thomas Andersone's house.

May 15th.—*Mr. Will. Cobane, postmaster.* Mr. William Cobane is appoynted to be postmaster for furnishing horses who shall be free of his cess and haue his own horse free with tuelf pennyes of ilk pund due for his hyre whither payd or not payed and if not payed to be payed be the thesaurer and the horse to be furnished circularlie begining at the south east.

May 22nd.—*Sir Rob. Gordone.* Sir Robert Gordone of Gordonstoune haveing petitioned the counsell for the buyeing of ane hundreth lead of peattis out of Mostowie this yeare the counsel granted his desyre.

July 27th.—*Vnlaw Adame.* The bretheren of Gild complein against Andrew Adame, merchand burges of Aberdeine, for selling staple goods to vnfremen within their liberties. He is amerciat in ane hundreth punds Scotts and he ordained to remayne in waird vntill payment. He sold tuo bunnes of lint to Francis Ross wyfe and tuo gaddes of iron to Gilbert Schand in Germoch and 20 gades of iron to the Erle of Finlater and the laird of Innes 14 or 15 gades or thairby.

August 28th.—*Mr. John Hayes report.* Mr. John Hay made his reporte from Innernes declairing that there behoued to make choise of fyue or sex young men who haue not bein accessorie to any ingagment against the parliament should be direct to Innernes to keep the fyft of September next.

August 30th.—*Hay and Chalmer and vtheris appoynted to goe to Innernes.* Mr. Johne Hay and Johne Chalmer, baillie, appoynted to goe to Innernes the fyft of September nixt with William Cuming, Robert Falconer and Allex^r^. Urquhart younger, as nominat to the effect abouewrittin.

October 9th.—*Order from Col. Fitche.* Mr. Johne Hay, provest, presented to the counsell tuo orders from Colonell Fitch ane concerning coale and candle to the foott sojors now at Elgin and ane vther for the furnishing of the bedding to the horses from their land lords.

November 30th.—*Order from the Englishes commander.* Ane order vnder the hands of Robert Overtoune, Thomas and Lieut. Colonell Blunt anent the suppressing of associats of Lieut. Generall Midiltoune wes published at the mercat croce of Elgin.

1655.

April 25th.—*Bedding.* The copie of the tounes receptes of bedding out of Dunfermlings house delyvered be John Chalmer to the clerk.

Isobell and Janet Meluills. Anent the complaint made by the fischall against Isobell and Janet Melvills for the alleged stealling and concealling of fourtein shillinges Starling from William Hayhe, ane Englishman, for

qlk they were araigned before the court and although absolued from the siluer yet being fund guiltie of stealling and concealling some vther commodities they were amerciat in ten s. sex d. starling fund in their possessione qlk wes ordained to be givin to the said William Hayhe and they ordained to be banished in case of the lyke.

May 2nd.—*Recept for contributione to Glasgow.* Delyvered to Walter Hay, present thesaurer, Mr. John Douglas his grant of recept of ane hundreth tuentie sevin pund eight shillingis Scotts for the contributione to the citie of Glasgow.

October 8th.—*Anent the excyse money borrowed.* Ane hundreth merks borrowed fra Jo^n^. Chalmer, kirk thesaurer, vpone band for Robert Dunbar his charges goeing south anent the excyse to be payed the first of November nixt.

October 22nd.—*Dunghills to be remoued.* A bank is ordained to be published with the bell for taking away dunghills of the high streetts betuix this and the 4 of November vnder the paine of 4 lib. and also to inhibite all brewaris to sell any draff out of the toune.

November 12th.—*Anent secrecie amongst the Counsell.* It is enacted that who so ever shall be fund guiltie of revealing any thing concluded in counsell that they are desyred to keep close they shall immediatlie thairefter be removed off the Counsell and never be returned againe.

1656.

February 23rd.—*Anent moss besouth Tayock.* Because the commontie of the moss besouth Tyock is spoiled it is ordained none cast thairin bot for thair awin vse allenarlie and for that effect David Brodie is ordained to gett their names and that they may be advertised accordinglie.

Anent the calsay. The counsell finds it necessar the calsay should be bigged and that some speedie course be takin for finding a craftisman and for that effect Thomas Calder is ordained to speake one Johne Dick in Plewlandis.

April 21st.—*Keeping of Cornes.* It is ordained that a bank be beatt for keeping the cornes in the crofts and greiship lands from the date heirof that it shall be leisume to the owners of the cornes or thair servands to take the beasts and keep them vntill ilk ane shall pay sex

shillings Scotts and if they be keeped attour 48 houris the owner of the beast shall have no reparatione in case they incurre danger and the sex shillings to be payed.

May 12th.—*Tailours.* It is ordained that no vnfreeman tailyour should keep a prentise after the last of Junij nixt and that they and ilk ane of them as they should be required should come and serve freemen in thair trade vpone the freemens chairges when so euer they should be required for that effect.

May 13th.—*Measure.* Thomas Calder is ordained to bring to the Counsell on Monday nixt the just measure of Lithgow mett and the Clerk to bring the act of Parliament thairanent.

May 19th.—*Measures and Weights to be visited.* The Deane of Gild is ordained to visite the firlots for all graines, the stone weight and vther weights of that sorte the elne wand and the stopes and to reporte.

May 27th.—*Wreittis takin out of the cadgett.* The Counsell haueing mett at the clerk's chamber where the cadgett lyes they did take out thairof ane instrument of perambulatione anent the marches of the toune and with Linkwood. Item ane old charter printed be K: James in anno 1457.

June 2nd.—*Concerning Mostowie.* William Patersone, messenger, is appoynted to be spokin to goe to Mostowie and arrest the whole peatts and make intimatione thairof to the owners.

Anent the tolbooth. The thesaurer is ordained to buy ane hundreth sklates and sex boll of lyme for the tolbooth.

June 7th.—*Anent Mr. David Philps money to the hospitall.* Anent the supplicatione givin in be Thomas Warrand, clerk of Forres, executor to the deceased Christine Kare, for fourtie punds money left be Mr. Dauid Philp, her husband, to the hospitall of Elgin whilk wes be ane decreit extend to 110 lib. 8s. the Counsell are contented to take four-score punds presentlie, vtherwayes to expect no favour.

Anent swyne. To publish ane order anent suyne that none keep them within this burghe vnder the paine of 10 libs. Scotts and the suyne to Alexander Rynness to be disposed of at his pleasure betuix this and Wednesday nixt at 12 hours.*

* Cf. "Act anent the Swyne," 9th August, 1654; p. 143, "Extracts from the Records of the Burgh of Aberdeen"; also p. 319, do. (30th September, 1696). Being "ane unseemelie kynd of beast," and for other reasons they were ordered to be removed a quarter of a mile from the town.

June 9th.—*Townes band to the kirk of Duffus.* The tounes band to the kirk of Duffus delyvered be the thesaurer and cancelled.

June 18th.—*Anent Mostowie.* It is appoynted to meett with the Lord Duffus the L: Brodie and Collonell Ro^t^. Innes anent the contraversie with them concerning the moss of Mostowie.

June 30th.—*Constables.* The Counsell did nominat two constables for ilk ane of the four quarters.

July 28th.—*Armes to be brought in.* It is ordained that howsoone the prouest comes home that a bank be beatt anent the inbringing armes vpone Wedinsday nixt be eight hours in the morning.

August 4th.—*St. Geiles mercat.* It is thought fitt that St. Geills mercat be published at Forres and Innernes to be the week hefore the ordinare day.

August 11th.—*Officers to weare halberts.* Walter Hay delyvered to the clerk the warrand to the officer to wear halberts.

September 22nd.—Robert Donaldsone continued postmaster.

September 29th.—*Dunghills—Measures.* The dunghills to be clensed off the streetts. The measures viz. the firlot and peck and vthers to be visited and rectified where need is.

November 3rd.—*Layng.* Andrew Layng, cordiner, is reponed to his burgeship and the clerk ordained to extract his burges bil vt primo.

1657.

January 31st.—*Wintners.* Hallowmes, 1652, to Hallowmes, 1656: Margrat Hamiltone vented 5 punschons of french wine and ane pyp of seck. Elspet Urquhart—6½ pun. of french wine. Marjorie Layng—2 tun french wine and 1 pyp seck. Margaret Syme—8 pun. of french wine and 2 pypes of seck and ane pyp of tent. Robert Dunbar—10 pun. french wine and 2 pypes of seck.

March 9th.—*Alexr. Hay his compt.* The said day compted with Alex^r^. Hay, merchand, anent the furnishing of ane feather bed, bolster, tua pair of plaids and a covering to the garisone at Dumfermling House in Elgin.

March 31st.—*Money not pasguilt.* The officers are ordained to goe throw the toune to advertise the inhabitants not to receive this newe

brought in base couper coyne haueing the floure de lucce thairon, and to speak the Lieutennants to horse and foot theranent.

May 11th.—The deane of Gild made his report anent the expenses of the Commissionare at the Parliament in Londoune betuix the first of September, 1656, and the last of Maij, 1657, and the totale on the borrowes benorth Spey being 819 lib. the toune of Elgins part being 150 lib. 16s. 6d.

April 13th.—*Anent the shoemakers.* Anent the supplicatione given in be the shoemakers burgesses and freemen of this burghe against the vnfreemen within the same and in the country frequenting the weeklie mercats within this burghe for the vsurping a libertie and freedome in that trade as if they were freemen that is in buying and barking of roch hydes and in keeping of prentises and servands in thair trade and also in taking vp of shopes within the burghe. The Counsell enact that no vnfreemen living without the burghe shall be licenced to buy any roch hydes after tuo acloak in the afternoone on the weeklie mercat dayes without prejudice alwayes to the vnfreemen within burgh and that no vnfreemen either within or without the same shall keep either prentise or seruand of that trade and it shall not be leisum to any vnfreeman to keep any oppin shop without the counsell's libertie and as for the visiteing of the mercats anent the sufficiencie of work they appoynt Andrew Kay, elder, and William Wilsone, burgesses and freemen of the trade to goe alwayis with the Deane of Gild euerie weeklie mercat day and vther fair dayes when it is necessar for visiteing of the shoe mercat to try the sufficiencie or vnsufficiencie of the made work and barked leather to the effect that where there is a fault the dilinquent may be punished at the discretione of the Deane of Gild and his Counsell.

May 25th.—*Sogers.* A bank to be published with the bell that those who have troupes shall keep their chambers and stables for their vse allanerlie and that they dispose no vtherwayes on them.

Gate from the schoole to the Moss. It is ordained that all the inhabitantis within this burgh that mak vse of the moss wynd with horse and kearts that they vpone desyre shall come and bring sand and vther necessars for mending the faults thairin and if they refuse being required to be fyned in 20s. Scotts.

September 7th.—*Grigor, burges.* George Grigor, second laufull sone to John Grigor, armorer, burges of Elgin, vpone his supplicatione

declareing his trade to be altogidder now usless to him and that he most contrive some vther honest trade is receiued freeman and brother of gild of this burgh for payment of ten punds Scotts.

September 29th.—*Entrie to the gildrie.* The Counsell hes ordained that in all tymes cuming whosoever shall be receiued burges and freeman of the burghe and brother of gild of the same shall pay ten merks money to the thesaurer of the gildrie attour the pryce of his freedome to the toune.

October 5th.—*Articles anent Deaconrie.* Articles of condiscendance betuix the magistrats and counsell of Elgin and the crafts of the said burgh anent deaconrie to be therein but prejudice alwayes of the former priviledges and liberties of the said burgh.

In the *first* it is condiscended and agreed that each destinct craft within the said burgh whereof their is sevin burgesses and freemen of the same (to make a compleit counsell) shall have a deaconri. *Secondlie* that the deacone to be chosen yeirlie for each craft shall be litted be the counsell of the craft being tu or three on the littes and chosen be the magistrats and counsell of the burgh who shall be suorne to be loyall to ther magistrats and counsell and faithfull to their craft. *Thirdlie* as for the deacone conveiner he is to be chosen yeirlie hereafter be the magistrats and counsell of the burgh out of the number of the respective deacones. *Fourtlie* and ilk deacone to haue sex freemen to be ane counsell to him and he with consent of his counsell to receiue non to be freemen in their craft but those that be the ssay sheus themselues able to be qualified thairin being alwayes first burgesses. *Fyftlie* each deacone and his counsell hes libertie to fynne all faults relateing to his craft and if imprisonement be desired of the faulter the reasone being cleired to the magistrat that he deserves so, the magistrat giues order to doe the same and in caise any partie fynned be the deacone and his counsell shall find him wronged in that case he is to haue recourse to the deacon conveiner and his counsell and in case of non-satisfactione from them to have his recourse to the counsell of the burgh and that each deacone have all the prentises and servands of his craft presented to him and booked before he enter to his craft. *Sextlie* as for the prycess of the entrie of freeman to the craft or booking of prentises and servands to be agreed vpone be the deacone conveiner and the deacones and thereafter to be approuen be the counsell of the said burgh. *Sevintlie* as for the

fynnes and entres aboue-specifiet to be collected and keept be each deacone or boxmaster of the craft he is to be comptable to the counsell of the craft and deacone conveiner and these accompts to be presented to the counsell of the burgh once in the yeir when they are called that they may know how they haue bein disposed of for the good of the craft. *Eightlie* as for the last article it is agreed that no craft incroach vpone anothers libertie and as for the selling of boots and shoes be merchands it is condescended that the merchands injoy their wonted libertie in selling the same vntill it be declared what is the fredome of the merchands in selling boots and shoes in the burghs of St. Jonstoune, Dundie and Aberdeine or any tuo of them. As for selling of sadler grath and lorimer worke the merchands to haue their wonted libertie. This agreed on vpone the fyft day of October, 1657 yeirs, and is ordained to be put in ample forme which is subscribed be the provost, baillies and counsell and als be the deacone conveiner and respectiue deacones presentlie nominat and chosen in name of their respectiue crafts for them and their successors. Subscryved thus: M. J. Douglas, prouest, George Cuming, baillie, T. Calder, baillie, W. Hay, baillie,

Robert Dunbar ane of the counsell
Mr. W. Cobane "
J. Dunbar "
A. Lesley "
J. Chalmer "
Alex^r. Petrie "
Dauid Brodie "

Jo. Ogilvie, deacon conveiner, Walter Gilzeane, deacone of the Hammermen, Johne Chalmer, deacone of the glouers, Thomas Ogilvie, deacone of the Tailyors, Andrew Key, deacone of the shoemakers, Thomas Cock, deacone of the weavers, and John Thomsone, deacone of the butchers, with our hands at the pen led be Alex^r. Hay, no^r., at our command speciallie required hereto because wee cannot write our selves. A. Hay no^s. attestes James Dick, deacone of the wrights and measones.

October 19th.—*James Tailyour.* James Tailyour having married the daughter of the deceased James Pringill, eldest son to the deceased Alexander Pringill, sumtym provest of Elgin, is to be received burges and freman and brother of gild for payment of ten merks to the thesaurer of the gildrie and tuentie punds to the toune thesaurer.

October 26th.—*Firlots to be sealled.* The measures of the firlots of barley and meall and pecks conforme presented this day be the Deane of Gild are ordained to be sealled accordinglie viz. the Barley firlot threttie tuo poynts, the barley peck eight poynts and the half peck is conforme.

November 23rd.—*The keys of the tolbooth givin to Rot. Donaldsone.* Robert Donaldsone accepted the keeping of the keys of the tolbooth in the night tyme viz. in the winter at 5 accloak at ewin till eight in the morning and in summer from eight accloak at night till seven hours in the morning.

1658.

February 15th.—Conveined in Counsell Mr. Jon. Douglas, prouest, George Cuming, Thomas Calder and Walter Hay, baillies, David Brodie, Andrew Leslie, Jon. Ogilvie, Alexr. Petrie, Alexr. Dunbar, Jon. Dunbar and Mr. Wm. Cobane.

Merchands and Crafts. The said day the counsell hes appoynted Saturday nixt the tuentie of this instant to meett anent the settling of diffrences betuix the merchands and crafts to be sett doune be the prouest, the baillies aboue nominat Alexr. Dunbar, Andrew Leslie and Dauid Brodie, with the deacone conveiner and foure of the deacones, viz., Walter Gilzeane, Jon. Chalmer, Thomas Cock and Andrew Kay.

At Elgin the tuentie day of Februare ImVIc fiftie and eight yeires in presens of Mr. John Douglas, prouest of the said burgh, George Cuming, Thomas Calder and Walter Hay, baillies therof, David Brodie, Deane of Gild, Alexr. Dunbar, Andrew Leslie, Jon. Ogilvie, Deacone conveiner, Walter Gilzeane, Jon. Chalmer, Andrew Kay and Thomas Cock, four of the deacones.

Articles betuix merchands and craftsmen. The which day in reference to that ordinance of the counsell of the said burghe daitit the fyftein day of the said moneth and yeir forsaid whereby the said persones aboue nominat were appoynted for settling and composeing certane differs arryseing betuix the merchands skiners and vther craftsmen within the said burt. The saids prouest, baillies, counsellers and deacones aboue mentionat haueing conveined for that effect did vnanimouslie condiscend and agree vpone the articles vnderwrittin and did appoynte the same to be obserued in all tyme cuming be the forsaids merchands and craftsmen

within the said burghe as their seuerall privileges relateing and belonging to them seuerallie as is vnder exprest viz.

First. It is agreed vpone that merchands within the said burghe may buy wooll skines and sell the same without libertie to them to pluck them or steep them bot onlie to sell them in that same qualitie they buy them. And that skiners within the said burghe may also buy wooll skines and may pluck them and sell the wooll and alme the skines and sell the same within the natione without pouer to them to sell whole fleeced skines either within or without the natione in small or in great without pouer also to the saids skiners to sell any almed leather without the natione or send them abroad over seas.

Secondlie. It is agreed that no craftsman within the said burghe shall buy to be sold by them any outland or inland commodities except so much as will serve for them selues their families their vses in forme and maner as is after explained viz. That no craftsman buy any quantitie of wooll or yearne or any vther commoditie to sell except so much as will serve for his owne vse and his familie in makeing of webs of any kynd of stuff or cloath to be sold in wholl but not in parcills except vpone publick mercat dayes.

Thirdlie. It is agreed lykwayes that ane sadler may buy and sell all kynds of sadler claith and lorimer worke pertinent to his craft prowyded he doe not sell the same in gross but be way of retaleing to persones haueing necessitie to make vse thereof and not to any persone who will sell the same thereafter.

Fourthlie. It is agreed that smythes of all sortes may buy quantities of irone and steill to be wrought be them in their shopes allanerlie without pouer to them to sell any quantitie of irone or steill-vnwrought to any persone whatsumeuer.

Fyftlie. It is agreed that matellers of all sortes such as pewterars, brasiers, tinckers or vthers workers of mattell may buy quantities of all sortes of mattell belonging to their respectiue crafts to be wrought be them in their seuerall shopes and work houses allanerlie without pouer to them to sell any quantitie of vnwrought mattell to any persone whatsumeuer.

Sextlie. It is agreed that tailyors within the said burghe shall neither buy nor sell any merchandice except so much plaiding, harne, lining, tuidling, stenting, bleached or vnbleached, threed and all sortes of scotts

lyneing, buccrome, with so much silk not exceeding the weight of tuo pund with silk ribbons not exceeding the value of threttie punds Scotts with silk buttons not exceeding the value of fyftein pund Scotts with ane stone weight of balling and that they sell no quantitie of the saids commodities nor lend not the same to any of their craft in small or in great or make any exchange thereof but allanerlie make vse of the same in made work to these persones who does imploy them not being of the Tailyor craft.

Sevinthlie. It is agreed that shoemakers within the said burghe may tan and sell sufficient barked leather or make bootts and shoes of the same to be sold be them without prejudice to the merchands of the said burghe to buy and sell sufficient taned or barked ledder to any persone they please with pouer and privilege to the shoemakers of the said burghe to buy and sell taned or bend leather bootts and shoes in any place of the natione als freelie as the merchands within the said burghe. And in case any persone free or vnfree not being resident within the said burghe bring any quantitie of barked leather or roch leather to be sold within the said burghe that the first offer to buy the same shall be made to the deane of gild and deacone of the shoemakers with pouer to the said deacone to buye the same in whole or in part for the use and behoue of the whole shoemakers within the said burghe at least so many of them as shall please to buy to be devydit amongst them at the same pryce and no higher as the said deacone buyes the same at first. Also condiscendit that in case any persone whatsumeuer offer to sell taned or barked leather within the said burghe after he hes made the said offer shall be obleiged for the sufficiencie of the said barked leather and the stranger to sett cautione acted in the tounes court books for that effect and for makeing up of all prejudice to the parties damnified by the insufficiencie of the leather, And further to be censured by the magistrates and counsell of the said burghe.

Eightlie. It is agreed that weavers may buy and sell woll and yairne and vther commodities for their owne vse and mak cloath thereof and sell the same in great but not to retale the same but vpone publick mercat dayes.

Nynthlie. It is agreed that no butcher within the said burghe shall buy any number of cowes or oxen brought to this burghe to be sold betuix publick mercat dayes vntill first the offer of the saids cowes or

oxen be made to the deane of gild of the said burghe and deacone of the saids butchers and published be his order to the wholl inhabitants of the said burghe that they may buy of the saids cowes or oxin for their particular vses and till that tyme the saids butchers doe not presume to bargane for the samen. And also that no butcher buy or sell any hydes or skines but such as they kill themselues but prejudice to them to go to Rose or Sutherland or any where els to buy cowes oxin or sheep as they are able.

Tentlie. It is agreed that no craftsman within the said burghe not being ane merchand shall buy to sell any commodities except so much as shall serue and be applyed to their owne particular vses as saidis: and thir presents are ordained to be registrat in the counsell books of the said burghe and in testimonie of this agreement the saids persones haue subscryved the same day, yeir, moneth and place forsaid. Subscryuit thus: Mr. J. Douglas, T. Calder, W. Hay, A. Dunbar, A. Leslie, Dauid Brodie, J. Ogilvie, Walter Gilzean, Johne Chalmer, I: C: At command of the abouewrittin, Androw Kay and Thomas Cock, deacones. I, Alex^r. Dunbar, notare publick, haue subscryvit thir presents because they cannot write. A. Dunbar.

March 15th.—*Act—Cowie for his freedome.* The Counsell hes condiscended to mak John Cowie, tincler, burges and freeman of this burghe for keeping of the toune clock in good order dureing his lyftyme the Counsell alwayes furnishing him irone and other necessars for the vse of the clock allanerlie.

April 24th.—*Letter from Geo. Gordone and Barclayes discharg.* Discharge presented anent the moneths mantenance to the factors of Camphere for the kings home bringing.

May 3rd.—*Janet Couts.* Jannet Coutes is ordained to be jogged and banished with a paper on her head to show hir fault which is swearing and for swearing, lyeing and slandering.

June 7th.—*Letters from Man and Monck.* Delyvered to the clerk ane letter from Lieutenant Man with ane vther from Generall Monck anent the cess.

Beds to the Troupers. Two beds to be sent to the troupers at Thomas Calders house.

July 2nd.—*Tolbooth locks.* John Ogilvie, thesaurer, receiued tuo hinging locks of iron with keys belonging to the tolbooth.

July 12th.—*Releasment Campbell.* The prouest delyvered to the clerk ane discharge from Albert Mollisone, merchand in Aberdein, concerning the releasement of Jeane Campbell, Ladye Newtoune, out of the tolbooth of Elgin.

August 28th.—*Johne McKeane declared vnfreeman.* John McKeane being conveined for his contempt of the order issued from the Magistrates for bringing in of horse for payment to carie burne for quenching of the fyr at the west porte by taking his horse violentlie from the officers and for his miscarriage to Thomas Calder, baillie, the Counsell ordained his burgeship to be takin from him and his booth dore to be closed up and his persone to be committed to prisone till he pay ten punds Scotts. John Forsyth, officer, did calk the boothe doore by making ane croce thereon and made intimatione thairanent that it wes closed vp the said John McKeane being now ane vnfrieman.

August 31st.—*Leslies miscariage and ryot.* John Leslie, merchand, for blood and blae giving to John Lamb, merchand, and for his great miscarriage done in presence of his magistrates is ordained to pay tuentie punds to loose his burgeship and to be imprisoned dureing the magistrates pleasure.

Lambs miscariage. John Lamb for his ryot committed against the said John Leslie and for his miscarriage in prisone in offering to break the dores is ordained to pay ten punds and to be imprisoned till payment and to loose his burgeship.

September 6th.—*Kearters anent their dogs.* The kearters and vthers that caries dogs alongs with them vnnecessarlie to the countrey for peatts and turffs are commanded not to take them allongs with them hereafter vnder the paine of fyue punds Scotts for the first fault.

Anent lint, hemp or peitts to be remoued within fyre houses. It is ordained that publicatione be made that all who haue lint, hemp or peatts about or near the fyre shall remove the same within 48 hours vtherwayes the same shall be takin from them and giwin to the hospitall and themselves punished with rigor.

September 17th.—*Lord Richard proclamed Protector.* Elgin. The said day the Counsell of Estates their order anent the proclameing of Lord Richard, eldest sone to the late deceased Oliver, Lord Protector, to succeed to his father in the government wes published at the mercat croce of the said burghe the day aforesaid about eight aclock in the morning.

September 27th.—*Act anent old inhabitants.* Wrights, measones, glaswrights, coupers, bowers and clubmakers are to have a deacone without prejudice to the old inhabitants of each craft who are not able for the present to make themselves burgesses to work for their lyvliehead as formerlie and to have no power over them but to be judged by the magistrats. Deacons chosen by the counsell one each for the hammermen, glovers, taillors, shoemakers and weavers.

December 27th.—*Letter from General Monck and Sam. Diskrow.* Ane letter received the said night about xi acclock at night from Generall Monck and Samuell Diskrowe for sending ane commissioner to the parliament at Londoun.

1659.

January 15th.—*Andrew Leslie to go to Innernes.* It is condiscended that Baillie Leslie shall goe to Innernes agane Tuisday nixt anent the choising of the Commissioner to the parliament and to delyver ane letter to the Erle of Murray anent the plantatione of the kirk of Elgin.

Kings Colleg of Aberdeine. King's Colledge of Aberdein anent the supplie crafeit be them for their new structure to the said college. It is thought fitt to write that they will take the supplicatione to consideratione when they haue [? completed their] awin church.

Vintners charged. It is ordained that Andrew Young, messenger, be send to Banff, Boighead, Cullen, Keith and vther places in Banffschyre where wyne is vented to be chargit to make payment thairof.

February 7th.—*Tutor of Duffus entrie.* The Counsell accepts of the old yeards fra the tutor of Duffus and to give him his entrie to the quarter of Mostowie tuo aughten parts etc. and when he is enterit to dispone and resigne auld yeards to the toune and referrs the entrie to his discretione.

Act for regulating the crafts. The Counsell finding ane actt of the date the 23 day of Junij I^{M}. VI^{C}. and nyntein yeires regulateing the crafts they now adheare to the said Act vnles ane later act be presented and the old Act to be newlie insert in the book. [Not insert.]

February 14th.—*Piece ground to be rouped.* The peice ground be north to Smiddie Hill to be roupit.

New pecks to be sighted. It is ordanit that the new pecks be presented to the marcat on Fryday come eight dayes and to make proclamatione therof on Fryday nixt and tuo baillies to see the pecks before they be sealled.

February 17th.—*Charter subscryvit to the Tutor of Duffus.* Ane charter of ane quarter of Mostowie tuo auchtin partes half of Croftcroy and half of old milne houses wes subscryved to the laird of Kinminitie and he subscryved ane renunciatione to the toune of a peice land called the old yeards.

February 28th.—*Alexr. Glass, violer.* It is condiscendit that Alexander Glass, violer, shall have libertie to build ane house beyond the Maltfoord on Tyock on the tounes commontie payand nothing the first yeir and yeirlie thairafter at the counsell's discretione and with this conditione that if he brew and receiue vagabons and honest mens servands his house immediatlie thereafter to be pulled doune.

March 14th.—*Writes givin to the Prouest.* Mr. John Douglas presented the double of the agreement betuix the toune of Elgin and pryour of Pluscarden anent the old milnes of Elgin and ellevin peice of papers and informatione theranent.

Fleschers to be cited. John Thomsone, Alexander Thomsone and William Petrie, fleshers, to be sumondit this day aught dayes for transporting of cattell to Innernes.

March 21st.—*An. Hamiltounes depositione.* Andrew Hamiltoune hes declaired vpone oath that he hes not rune nor wented more nor fyue punshiones of wyne and tuo rindells of seck at sevintein poynts the peice betuix Lambes, 1657, and Candlemes, 1659, for which he hes payed fyue punds for the saidis fyue punshiones and William Tarres is to pay for the rindells of seck.

March 26th.—*Fleshers.* John Thomsone absolued, Thomas Watsone absolued, William Petrie confest the transporting of ane cow from James Young, ane from Bessie Watt in the Colledge, ane from William Alexander in Argy, and ane quoyack out of Mostowie, and confest Alexander Thomsone wes pairtner.

March 28th.—*Fleshers fynned.* William Petrie and Alexander Thomsone, fleshers, fyned 40s. ilk ane of them. All the fleshers are become acted not to transport any bestiall or goods or any slain meatt to Innernes in tym cuming vnder the paine of tuentie punds.

Lawborrowes contra the Inhabitants of the College. The Counsell ordaines laborrowes to be raisit before the shereff against the inhabitants of the college of Elgin.

James Calder, officer, discharged from his office. James Calder is dischargit to exercise his office till forder order for his neglect of Andrew Duff and Alexander Forsythe, prissoners.

April 4th.—*Sam. Mosely.* It is ordained that Baillie Brodie shall take 39 punds to Samuell Mosley for the impost of the wyne betuix the feast of Candlemes, 1658, and Candlemes, 1659.

Anent the building of the new kirk. The Baillie, Johne Dunbar, and Jo^n^. Ogilvie appoynted to goe with Mr. Murdoch McKenzie to the landwart heritors of the parioch of Elgin to require them to meett at Elgin the fourtein day of Aprile instant for takeing course anent the building and repairing of the new church and prowyding ane manse and the Erle of Murray to be write for that effect.

April 25th.—James Pedder discharged of the mortcloath to his wyfe in respect she is ane magistrat's daughter at least sumtym his predicessor. [Inventar tounes wreates—here recorded.]

May 2nd.—*Act anent fleshers.* John Glass accused for bringing ane vnsufficient beast in ane keart on Fryday last ordained that he be imprisoned till he pay four punds and also it is ordained what euer flesher hes or buyes either kid or lamb, moorfull or vther of that kynd except for thair awin meatt within the toune to be confiscat.

May 16th.—*Horning contra the shereff from judging the inhabitants of Elgin.* Mr. John Hay presented the letters of horning chargeing the Shereff to desist fra judgeing the inhabitants of Elgin.

Playing with bullets. It is ordained that ane bank goe through the toune dischargeing all persones within this burgh to play with the irone bullets within the tounes liberties vnder the paine of fyue punds.

The Counsell ordained John Ogilvie, thesaurer, to take fiftie merks of the contributione to the strangers beyond sea and to lend vther fiftie merks to William Andersone, thesaurer for the church, for paying of James Smythes accompts restand to him.

. . . . . .

The title-page of the new Minute Book bears the following:—

Counsell Book of the burghe
of Elgyn begun vpon the iith
of July 1670
Presens huic operi sit gratia pneumatis
almi
Me jubet et faciat complere quod vtile fiat.

1670.

July 11th.—*Act for James Calders payment for attending the Parliament.* The Counsell have condescendit that James Calder shall have for his debursements and paines at Parliament being fourscore one dayes and ane week at the borrowes the soume of tuo hundreth merks.

Act for payment to James Calder for militia. The Counsell hes appoynted Robert Innes, thesaurer, to pay to James Calder three hundreth sex pounds 13s. 4d. Scotts money conforme to ane particular accompt givin in be the said James to the Counsell for the number of the arms to the militia of the said burghe.

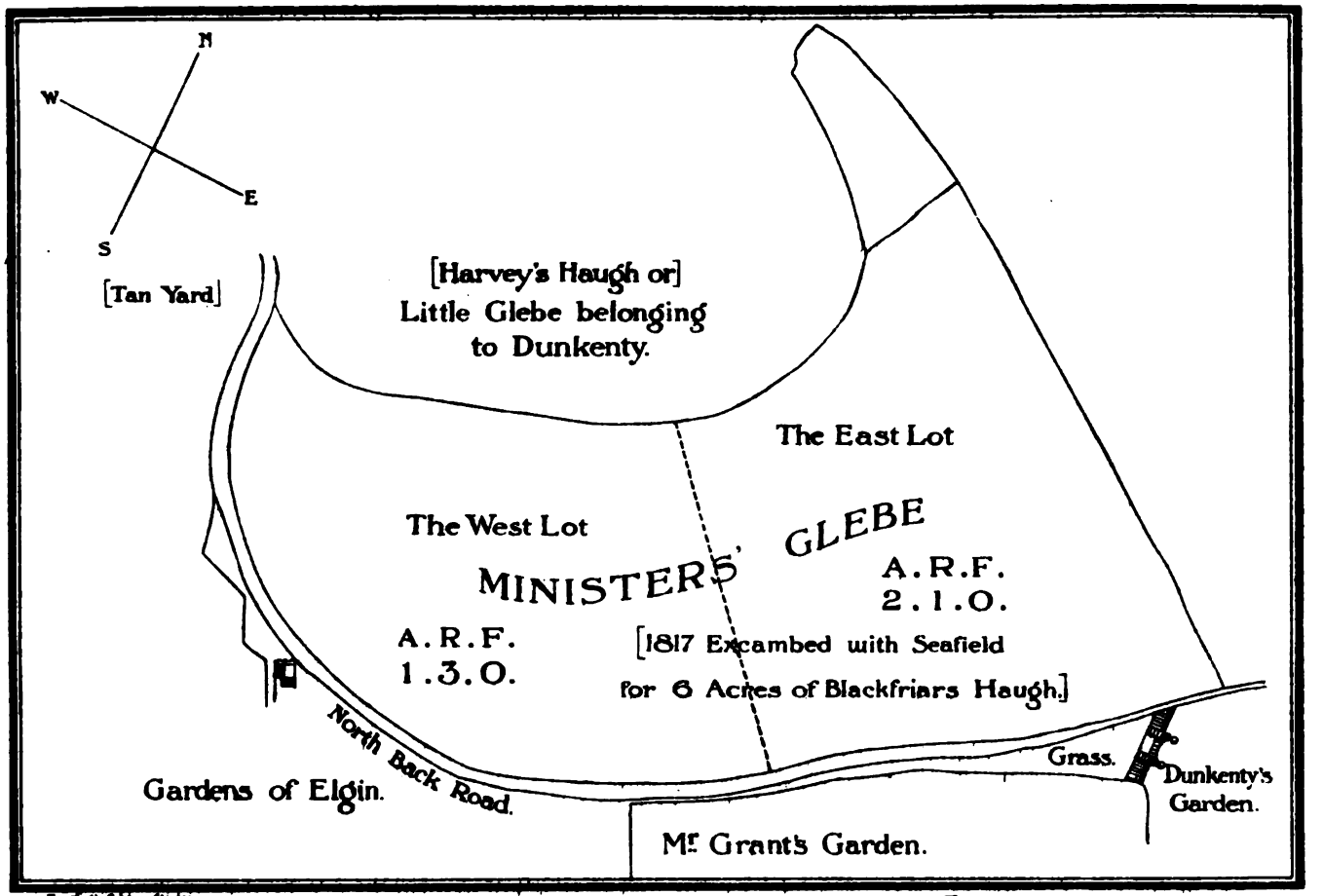
July 25th.—*Mostowie—Brodie.* Ballie Stewart [and others] appointed to goe out to the greenes of Mostowie and to sie the marching of the bounds that the toune is disponning to Frances Brodies elder and yor. and Tuesday comes eight dayes is appoynted to goe out either befor or after sermon.

Dunbar—Borrowes. Ballie Dunbar reported his dilligence frae the Convention of Borrowes with ane litle paper book containing the articles betuixt the borrowes and the stepple port at Dort.*

Mortcloth. The pryce of the mortcloath within toune to be four punds and ten merks to be payd for the same without toune and the old mortcloath to pay within toune 40 shillings and thrie lib. without toune.

October 3rd.—*Casting—Messindew—Cattails.* James Winchester, physcall, ordained to caus summond all these to the Court that hes

* Bruges was for long the staple port. It was removed to Campvere, May, 1444, upon the marriage of Mary Stuart, daughter of James I. and sister of James II., then King of Scotland, to Wolfred van Borselen, Lord of Campvere. Antwerp became the staple port in 1539 and Middleburg in 1541, but the latter contract never took effect, and by 1548 at least Campvere was restored to its former position. It was removed to Bruges in 1572, to Calais in 1574 and to Campvere in 1578. After the peace of Breda, Dort was the staple port, and, in 1676, Campvere.



The Kings' Press, Aberdeen.

PLAN OF DIVISION OF THE MINISTERS' GLEBE
BY PETER MAY, SURVEYOR, 1769.

casten the greines of the cattails and also to persue the tennents of Messindew for casting of the green ground and ane bank to be beat that no persones cast the greines of the cattaills herefter.

October 24th.—*Jo^n. Chrystie, burges.* The said day John Chrystie in the Mearnis was admitted and received burges and frieman of the burghe and brother gild therof for payment of fourtie punds money.

1671.

February 6th.—*Old yeards set.* The thesaurer hes sett the old yeards to James Brebner for payment of three libs. Scotts.

February 27th.—*James Hatmaker fyned 20 lib.* James Hatmaker, glover, fyned by the Counsell in the soume of tuentie punds Scotts money for his bygain vnfrie trading and appoynted to be putt in prisone vtherwayes to sett suretie for making himself frieman of the said burghe.

April 24th.—*Robert Donaldsone anent the Cattaills.* By consent of counsell Robert Donaldsone is to have possession of the Cattaills for the space of nyntein years for payment yearlie of the soume of fourtie tuo punds Scotts. No bestiall to pasture within the saids Cattails in tyme coming without the consent of the said Robert.

May 8th.—*Act—Building in the streit.* It is enacted by the Counsell that no heretor or inhabitant within the burghe shall build anie hous to the street of the said burghe in tyme coming beyond the limits without the said counsell their speciall consent.

June 5th.—*Anent the heretors of the colledge.* It is appoynted that the provest and ballies with a certain number of the counsell meet with the heretors of the colledge for ordering ther part of the militia.

The Counsell have appoynted to met the morn efter sermon and to goe out for viewing the bounds of the Cattails.

Alexander McKeun fyned by the Counsell in fourtie shillings Scotts money for his disobedience in not convoying the magistrats with the judges and for contumacie in not compeiring to the court when cited for that effect.

June 12th.—*Forsyth anent the militia.* John Forsyth, officer, indweller in Elgin, is become willinglie actit that in all tyme herefter he shall keep and observe the militia dayes and vther mustering dayes of the randivoes whenever required and that vnder the pain of tuentie punds.

Ballie Ogilvie and Ballie Rutherfurd with the thesaurer appoynted by the Counsell to goe to Urquhart with the tounes militia for meeting the young Lard Innes there.

The Counsell hes appoynted the dean of gild to caus make vp new meal pecks and to caus gird the same with irone and to enlarge the peck a peck more then the boll.

June 19th.—The Counsell hes appoynted a certain number of the Counsellors to speak to Andrew Rose anent his setting suretie that he shall not break ward and that preceisly again the old mercat day vtherwayes the Counsell ordaines that therefter he may get irones and that ther be upon the mercat day and mercat even ane guard sett on him of ten men nightlie.

June 26th.—*Gordoune to remove fra this place.* Christan Gordone, daughter to John Gordone, gravemaker, is become acted to remove from this place within fourtie eight hours vnder the pain of tuentie punds.

July 31st.—*Duncan his punischment.* Alexander Duncan for his miscarriage to Robert Rutherfurd, ballie, is appoynted to be putt in the iron gage during the Counsell's pleasure for saying and swearing that both he and the rest would lay doune ther armis.

Theis that goes to Forres. Ballie Ogilvie and Robert Innes appoynted to goe to Forres one Wednesday nixt to the Randiwoos.

September 11th.—*Act against lint, peattes, heather or firr above the fyre.* It was enacted by the Counsell that no inhabitant within the said burghe shall keep aither lint, peats, heather or firr above ther fires or within their duelling hous in tyme coming and that under the pain of banishment of ther persones and confiscatione of the lint and vthers abov prohibited.

October 2nd.—*Making up of pecks.* The Counsell have condiscendit that the pecks maid up be the deangild salbe sex gudges.

As to ane minister to the new kirk to be spoken of hodie ad octo.

Rot. Innes chosin baillie. In respect that Baillie Ogilvie declaired that he haid giuen ane rash oath the counsell ordain him not to carrie publict chairge as a baillie this yeire and have easit him. Robert Innes choysine baillie this yeire.

November 12th.—*Ane bank anent the cess.* Ane bank to be beat throw the toune that all these persones that comes not in to pay ther cess this day in the efternoone salbe quartered upon for ther deficiencie.

Anent idle persones. Evrie baillie with a counseller to goe throw ther severall quarters and taike the names of such idle persones and strangers as hes come in to the toune to duell in without consent of the magistrates.

1672.

January 22nd.—*The customers past of ten punds.* The Counsell passes the customers of ten pund dew be them for the meall of the laiche tolbuith in respect the mercatts hes bein so bad.

April 10th.—*Mark Boynd admitted frieman.* Mark Boynd, sone to umquhill Wm. Boynd, mesin, wes receaued and admittit burges and frieman of this burghe upon the accompt that he hes taiken on to be a sojor in the present levie for the toune of Elgin frielie and the said Mark is become acted in the said Counsell buiks that he sall not remoue from this place or flie therfrae in anie tyme heirefter whenever he salbe called for and that vnder the payne of banishment frae this place.

April 22nd.—*Anent tua moneths cess.* It is concludit that tuo moneths cess be presentlie collected for outrigging of the tounes proportione of the tuo and fyftie men and for uther chairges.*

May 27th.—The Counsell appoyntes that upon the 29 Maii the counsell and toune goe throwe the toune as formerlie without bondfyres.

June 17th.—The Counsell hes concluded that the Laird and Ladie Pendriche salbe in the militia in the toune of Elgin's proportione to be for a man and ane halffe and the clerk to wreat ane lyne to her as to his purpose vtherwayes quartering will follow and to pay for the heall muster dayes bygane.

July 22nd.—The Counsell haue condiscendit that ther salbe a pairtie of the militia sent to quarter upon the Laird and Ladie Pendriche for

* At Forres, the 17 off Appryll, 1672, conveined the said day the Earle of Murray the Lo / off Duffus &c. The sds commissioners efter severall debattis anent the sowme of money to be alloved for the furnisheing the bodie of the man and his furnitour conforme to the Act of Counsell of the proportion of men imposed on this schyre for the present Lewie of ane thousand men to be lewied out of the Kingdome for I is Majesties service did agree that the sowme be thrie scoir punds Scots to be payit be the sewerall adjunctis to the leader and befoir the tuentie tuo instant wnder the payne of quartering and doubling of their proportiones and that the leaders sall have pairties of the Melitia to quarter on mair defficient adjunctis also it is agreed that the sowme to ilk-sojor for convoying him to Bruntilland be tuentie marks money wherof fourteine marks money be payit to the convoyes and sex marks to the sojore. Extract be me Jo^n^. Ogilvie, clerk. (Miscellaneous Papers in Town's Cadget.)

ther bygaine deues deue to the toune anent that man and ane halffe out of the lands of Divilligreine and also to quarter anent the deus for the blew coatts.

James Winchester, frieman. James Winchester, eldest laufull sone to John Winchester, taylior in Elgin, wes reseaued burges and frieman of the said burghe and gild brother therof for payment of fyue shilling Scotts and ane penie purse.

September 23rd.—The Counsell haue condiscendit that no persone salbe upon the Counsell except them that hes to tyne or wyne in the place.

October 14th.—Baillie Innes [and others] appoynted to speake with some men and agrie with them anent the casting of the foord of Tayick besyd the lands of the Panns.

1673.

January 13th.—*Anent chairge givin be the Shereff to the toune.* Ane chairge giuen be George Troup, messenger to the toune, anent the Shereffe Murray anent ane ounce of peper and the cadget to be looked out and the great charter theranent.

January 20th.—*The thesaurer appoyntit to pay James Calder.* Baillie Innes appoynted to pay in to James Calder the tounes commissioner for his last goeing to the Parliament in Jully last ane hundreth punds Scotes and taike his reset theron.

January 25th.—*The commissioners to meitt for revising the stent rolls.* The old stenters to meet on Tuesday nixt for reviseing of the stent roll.

January 28th.—The clerk hes the contract of the excysse for this yeire betuixt the toune and James Winchester.

February 10th.—Ther wer put in the cadget the fyue severall dischairges of the taxatione grantit to his Majestie in anno 1665 yeires with the dischairges of the excysse grantit fra Baillie Ogilvie to the toune and for anno 1672.

March 12th.—*To visit the mairches.* The baillies and the counsell with severall old men to the toune appoynted to goe out the morne efter sermon to visit the merches of the moss of Mostowie and Whitfield and to visit the bounds of the moss of Glasgreine.

May 19th.—*Lawborrowes to be aganes Francis Brodie.* The Counsell hes condescendit that iff Innerlochtie y^r^. sall cast anie more of the stank or of the peatts of Mostowie that wes arreisted that ther be a chairge of lawborrowes laid on.

The Counsell have appoynted that the baillies and counsell sall goe up and doune the streets upon 29 Maij with the people and that the bells ring efter denner.

June 9th.—*Anent Francis Brodie and his peatts.* The Counsell condiscends that the peattes castine be Francis Brodie and his tenantis in the moss of Mostowie that the dryest of them salbe ledd and the weet peatts to be castine in the potts.

June 23rd.—*Anent the conventione of borrowes.* The counsell does condiscend that ther salbe onlie a lyne of excuse wreittine to the Conventione of borrowes at this tyme inrespect they haue no commissioner to send throw the want of a prouest at the tyme by death.

June 30th.—*Laird of Innes entrie dispensit frielie.* The Counsell hes past the Laird of Innes his entrie frielie inrespect of the former compositione given be the Laird Innes to the counsell and also for ther kyndnes to the Laird upon severall accomptes.

July 21st.—*The Shereff to see the reddendo in the great chartour.* The Counsell appoynts the magistrats to let the Sheriffe sie the reddendo in the great Chartor and no more.

John Forsyth for his miscariage to Sir George Monro's man the Counsell appoynts him to pay 6s. sterling and to be put in the goigs upon Fryday and to stand fra nyne hors to elevine hors.

September 22nd.—*Electione of the magistrats.* George Cuming [and 19 others] present. All the members of Counsell continoued this yeire except Alexander Hosack and Nicolas Brodie and the Counsell haue condiscendit that ther salbe but sevinteine persones upon the counsel this yeire. All that are present suorne for faithfull keiping except Alexander Dunbar and James Calder. Lites for the prouestrie: George Cuming vnanimouslie choysine prouest for this yeire. Lites for the baillzarie: John Ogilvie, Robert Innes, James Chalmer, Robert Donaldsone. Baillie Ogilvie and Baillie Donaldsone easit for this yeire. Baillie Innes and Baillie Chalmer continoued. Baillie Stewart and Baillie Rutherfuird choysine in the former Baillies place for this yeire. *Deanegild.* Peter Chalmer and John Spens. John Spens choysine for this

yeire. *Thesaurer.* Robert Innes, Peter Chalmer, Alexander Russell. Peter Chalmer choysine for this yeire. *Clerk.* John Chalmer and his sone to supplie him. *Phiscalls.* James Winchester and John Torrie to assist him for this yeire. *Lynsters.* Alexander Smyth, Alexander Geddes, James Young, James Fentone, elders, continoued this yeire. *Visiters of the Flesh mercat.* James Winchester and John Torrie continoued for this yeire. *Mr. of the Hospitall.* Alexander Russell continowed this year master of the Hospitall. *Officers.* Robert Kear, George Gray, John Robertsone, Androw Donaldsone reffered to the Head Court and to the present magistrats. The saids officers are continowed. John Torrie hes the keyes. The officers appoynted heir-after to give in the keyes of the tolbooth to the keeper nightlie be four acclock and not suffer anie men come in to tolbuith without a particular order from the baillie.

October 6th.—*Rouping of thrie crofts and old zairds—Rouping of Guiscruik.* Ther is thrie crofts belonging to the Hospitall of the toune of Elgin with the auld yeards belonging to the toune rouped that day and to be put in the bank. The goose cruck and the piece ground to the westward of it besyde the fuird of Innerlochtie to be rouped.

Act anent wnfriemen. The former Act anent vnfriemen and strangers that are not ordained to brew is ratified.

1674.

February 9th.—*Laird of Grant his compositione.* Ludovick Grant, now of Freuquhie, his compositione as are to his father of the baronie of Kirdels componit to the double of the feudutie.

Ane bank to be beat that no inhabitantis tak anie clay out of the clay potts or anie place of the haucheland of Elgin.

June 8th.—*Anent the cowes.* The counsell ordaines that ilk cow and calfe that enters the cattaills sall pay for summer grass and keeping 20s. Scotts and none to hawe butt ane cow and hir calff and non to enter wther goods and to be payit at ther entrie.

The peats castin be Gawin Watsone in the Calffe ward ordanit to be arreist and intimat to him.

June 15th.—The Counsell appoints the whole peats castine in the moiss of Glasgren to be castin in in the potts except those that hawe warrand from the Counsell being inhabitants within this burgh.

The Counsel condiscendis that Mairie Dunbar, prissoner in the Innerhous, inrespect of hir being ther with severall men does out of fawour to hir grant hir liberatione from the inner hous to the hous abow the samyn how sein the dore lock and chambers of the said roume be helpit.

June 22nd.—The Counsell appoynts that no howsses be buildit one the trinitie churche dyck in tyme cuming without the counsells ordor.

June 29th.—This day eight dayes appoyntit for ryding of the marches being the sext day of July nixt to come.

July 22nd.—*Anent the bells.* It is condisendit that the great bells be onlie rung at the tyme of the defuncts deceass and instantlie about the tyme of the lifting of the corpes.

Theis to go to Mostowie. Baillie Innes, baillie Chalmer, James Winchester and als many of the toune as they pleas to call to goe to Mistowie this day and to tak cours with the fire.

Jon. Brodie hes tane the goosecruik. John Brodie hes taine the Guiscruik as it is presentlie pottit for three years being 6s. rent yearlie.

August 3rd.—Alexander Brodie hes gottin libertie to build ane buriall place one the syde of the Trinitie Churche yaird dyk.

September 21st.—*Gordon and Smith—few dueties.* Williame Gordone, shoemaker, agrees to pay 6s. Sc. yearlie as few deutie of his fore chop presentlie builded be him to his borrow roods perteining to him upon the south syde of the said burghe and Alexander Smith, smith, to pay 16s. Sc. as few duetie yearlie out of ane forehous or chopes buildit upon the south syde of the burghe.

October 19th.—James Winchester is appoyntit to sumond all thes that traids with wnfrie men. He is also appoyntit surveyor and collector of the excyse this insueing year. The counsell appoynts all these that sells brandie to be sumoned to Wednisday nixt.

November 2nd.—The baillies with the collector to revise the toune the morne for aill and aquavytie wpon hand and James Fentone yr. to be surveyor and James Winchester to survey till his home cuming.

1675.

January 2nd.—The Counsell hes past James Andersone, merchant, of ten pund Scotts wherin he ves debtor to the toune for the libertie and fredome alloved him for building his hous to the streit.

March 8th.—*To wreat to the bishop of Rose.* The clerk is appoyntit to wreat to the bishope of Rose to enter to his lands of Barnathills wtherwayes to giwe him ane chairge of horning and to acquant the Laird Pettindrich.

March 29th.—To remember that the Counsell speak anent the manses of the colleidge.

Ane bank to be beat for keeping of the corne as formerlie.

Collectione for Mr. James Hamiltoune. The Counsell ordaines thes that payes not the cess for Mr. James Hamiltoune that the baillie of ilk quarter goe along with ane counsellar and collect the same and wha refuses to be presentlie wardit.

May 12th.—Ane letter receawit fra Mr. Robert Gordone in name of his mother for 200 cairtfulles of peatts this year out of Mistowie. The Counsell grants libertie onlie for this year for ane hundreth cairtes full and no longer to be cassin be Mosstowe men to be appoyntit be the magistrates.

June 28th.—*To visit the moss of Glasgrein.* It is appoyntit that the Counsell goe to Glasgrein and wisit the moiss and arreist all ther peatts that hes not warrand to cast and to goe the morow being Tysday efter sermone continowit till the nixt day anent the moiss and greines of Mistowie and other places and the peatts to be cassin in the potts.

July 5th.—*John Glass dischargit of his fridome.* John Glas, flesher, as ane wnfrieman is dischargit from treading.

July 19th.—The Clerk has receavit 40 merks for the entrie of James Chalmer of Pettinsear.

August 2nd.—*Anent Glas.* The Counsell allowes taking Robert Glas out of prisone. He was fynt formerlie for dinging his vyff for going to the conventicle.

The toune hes appoyntit that ane pundler be appoyntit and that he be payit for the tyme he serves.

September 27th.—*The crafts supplication.* Supplicatione giwin in by the deacons and representatives of the whole trades and crafts of the

burgh crawing that the counsell would admitt to them ane deacon conveener to be one of their number, if not alreadie in counsell, who might (for ane better vnderstanding betuixt the said counsell and trades) be ane instrument for obviating of misrepresentationes betuixt the counsell and them and for settling the quiet and peace of the people. The magistrates and heall members of counsell did vnanimouslie with one consent for the furthering and flurishing of manufactories and trades within the burgh grant the desyre of the said supplicatione. James Chalmer, glover, one of the present counsell, appointed Deacon Convener.

October 11th.—*Anent the lint and the guard.* Ane bank to be beat anent the lint and anent the guard and that no servants but masters be presented to the guard and that no stranger beggeris, young or old, reside within this burgh nor non recept them vnder the pane of ten punds toties quoties and imprisonment of their persones.

October 18th.—*Anent the guard when Coldcotts and vtheris brak the tolbooth.* Ane not of the guard when Coldcoitts and wther prisoners brake the prisone and escaped the sexteint of October, 1675: William Layng [and 7 others].

1676.

January 10th.—*Anent the ringing of the bells.* The Counsell hes appoynted that the great bells shall not be rung till the thesaurer giwe order to ring them and to pay 40s. for strangers for ilk ringing besyd the belmans paines and the inhabitants to pay tuentie s. for ilk towing by payment of the officer the bell being towit ane quarter of ane hour at ilk tyme.

May 1st.—*Caldcotts.* The counsell hes appoynted that ane pairtie be sent to search for Coldcoitts.

June 5th.—John Peddisone, drumer, to gett onlie eight pund quarterlie and to serve the toune in all other things they have adoe.

Baillie Rutherfuird for Cattails. Baillie Rutherfuird hes accepted the hous wher the cotter man duells upon the Cattaills and yeard with the peice muirland for thrie years for payment of sex punds Scots yearlie with grase be east and be north the hous and yeard.

June 12th.—It is appoynted that the officers goe and search for Alexander Clerk, Robert Elleis and George Gordone for breaking of

ward and if they cannot be apprehendit ane bank to be beatt that who resetts them or giwes them meat or drink to be taken to ward.

June 19th.—The Counsell hes appoynted Alexander Gilbert to be tane to the tolbuith till he pay ten merks for the mortcloath and bells to vmquhill Wm. Robertsone.

June 21st.—*Information to the Commissioner.* Informatione to the Commissioner of borrowes: To plead for ane ease of the taxt roll in respect James Calder, laird of Muirtoune, who wes the great merchant, is removed from us.

1677.

January 15th—Major Beatman hes taikin the Marivall grass and brea for the insueing year for the dewtie of sex punds 8s. Scotts.

May 14th.—All the brewers within this burgh, colledge and Old Milnes therof inhibit and discharged from brewing in tyme comeing till further order from the Earle of Murray.

July 2nd.—Ane bank to be beat that na huiks fie themselffes without this burghe this harvest vnder the penneltie contenit in the statutes and all furder punischment the Counsell sall inflict.

August 6th.—The Counsell appoynts the peattes cassin besyd or be eist Duffus hillock to be cassin in the pottes this day be ane efternoone.

John Mitchell, glover, agrees to pay tuo s. Sc. as feudutie of the foirchop buildit be him benorth the stair of the peice land called the Baikhous.

August 25th.—The Counsell thinkes necessarie to have ane guard nichtlie and whoever withdraves him efter he is sumondit he is to pay thrie punds without mitigatione and none but maisters to watche and that all the inhabitants with the guard sall have their airmes fixit and be readie at the knell of the bell.

September 3rd.—John Torrie, writer, his chartor of the Calfe ward subscryvit be the Magistrats and Counsell for which the thesaurer hes receiwed 100 merks of grassum.

December 17th.—The wolt under the new church is sett to Thomas Noble, merchant, for payment of tuelve punds yearlie.

1678.

September 9th.—The thesaurer hes received 100 merks from the Bishops of Ross and Galloway for their entrie to their proportione of the lands of Barflethills with 200 merks for bygane few duties of the said lands, 1670-1678.

October 8th.—Alexander Symmer, cheapman, Duffus, admitted freeman on payment of 50 merks Sc. who gave his oath with ten marks to the Dean Gild.

1679.

May 12th.—The Counsell appoynts Gavin Watson to sett the steppis of Lossie at the Palmerfuird in the same place where they stood formerlie and to cause lay theise stones takin out of the dame where they were formerlie betuixt this and this day eight days under the paine of ten pundis.

May 26th.—The Counsell hes vnanimouslie condiscendit that Mr. Collein McKenzie, brother german to Sir George McKenzie, his Majesties advocat, salbe established as the toune of Elgin's advocat and get ane yeirlie pension for his paines which wes fiftie marks for himself and ten merks for his servand zeirlie.

July 2nd.—The Counsell appoynts the thesaurer to giw to Baillie Innes 500 pundis Scotts anent the action persewit be thame agaynst Myltoune and he agaynst thame and for defraying and paying the tounes equie and missive dewes and suspending Miltounes lawborrowis agaynst the toune.

1680.

January 12th.—*Act anent John Winchesters foir hous.* Supplicatione giwin in be John Winchester, merchand, anent the building his foir hous to the street. The Counsell granted him libertie he not prejudging the channell nor streat.

March 15th.—*Act anent the gaird.* The Counsell appoynts from the dait heirof allewin men to keip gaird in the laich tolbuith and to enter therto be sewin aclock at night and to continow till sex aclock wnder the paine of fyw pundis Scottis money.

March 29th.—*Tack and raitts of the Scheambills to James Winchester.* Tack of the scheambills to James Winchester for ane yeir for the soume of thrie score punds Scotts money the raitts due to him to be conform to the Alphabet agreed upon: Each ox 2s. 8d., each cow 2s., each huddrone veall 1s. 6d., each sucking veall 1s., each suyne of the lairgest syse 1s. 4d., each scheip 8d., each kid 6d., each lamb 4d. etc.

June 14th.—*Muirtounes entrie.* The Counsell appoynts Muirtoune's chartor to be exped and subscryvit of the lands of Boigsyde, Nether Manbein and Haughe therof Diwellagrein and Thrie Crooks all perteining to the laird and ladie Pettindreich, upon ane adjudicatione deducit be him agaynst him he hawing submitted himselff to be counsell for his entrie.

June 21st.—*Act and warrand anent the building of the Church.* The qlk day the provest, bailzies and counsell with consent and advyse of the haill comunitie of the said brughe hawing met togither in the southyle of saint geillis church there ordinar plaice of meiting for considering the rebuilding of Saint Geillis church within the said brugh laitlie fallin and after dew consideratione with consent forsd did appoynt and ordain tuentie monethis cess to be started upon and wplifted from each inhabitant within the said brugh as their proportiones for helping the rebuilding of the said church and those inhabitants whose freewill offerris did not extend to the said tuentie monethis cess as the samyne sould be stented sould be lyabell according to the samyne stent and those whose offerris exceided the said stent should be preferred to haue seatis and daskis in the said church efter the magistrats, counsell and heritorris of the said parrochin of Elgin were first served whereupon acted.

June 28th.—*Visiting their marches.* The Counsell hes appoyntit Thursday nixt being the first of Julij be eight aclock to visite ther mairches.

July 12th.—*Visiting the moiss of Mostowie.* The Counsell appoyntis this efternoone to visite the moiss of Mostowie and where they find anie peatts castin be anie that ar not concerned in the toune they ordaine the drye peatts to be led avay and the grein and new castin peats to be castin in the poitts and the whole inhabitants to be adverteised to goe and the whole Counsell with thame and all that hes hors to be chairged to goe to the said moiss with their hors and kairts for leading the drye peatts ilk persone wnder the penaltie of fyw punds money.

Dawid Stewart, baillie, hes the keyis of the inner tolbuith.

August 16th.—*George Gray, officer, deposed.* George Gray, ane of the toune's officers is discharged of his office for his negligens in permitting Thomas Innes, sone laufull to Johne Innes, glover in Elgin, eschape furth of the tolbuith by leawing the utter tolbuith dore oppin and continowis what furder punischment the counsell sall inflict upon him till the nixt sederunt of counsell. Sicklyk the counsell ordaines that no inhabitant within this burgh ressait the said Thomas Innes unpresentit him to the magistrates wnder the paine of tuentie punds Scottis money.

October 11th.—*Statute anent the gaird.* The Counsell ordaines that no inhabitant within this burgh presume to send anie of ther servants to the gaird but that they cum themselvis except they be from home necessarlie withdrawin or seik, in which caice they ar to send ane sufficient aibill man for thame for whom they will be ansuerabill and that may please the capitanes under the paine of 40s. and that ther entrie be at the hour of nyne aclok at night and to abyd till the hour of sex aclock in the morning in the winter tyme and in the summer tyme to begin at the hour of ten aclock at night and to abyde till the hour of four aclock.

October 25th.—*Anent Myltoune.* Baillies Innes to go to Edinburgh anent the affair with Myltoune [the Moss of Mostowie].

December 6th.—*Robert Donaldsones compositione anent Boigsyd.* The Counsell hes condescendit that Robert Donaldsone's compositione for entrie to the lands of Boigsyde shall be ane hundreth punds Scotts money.

December 13th.—*Wm. Crombies few dewtie.* The Counsell hes componit William Crombie his few dewtie for his foir hous builded to the streat to 6s. Sc. yearlie.

1681.

March 28th.—*Act anent Jo^n. Findlay.* The Counsell appoynt the theasurer to pay to Johne Findlay, marschell, 20s. Scotts money monthlie, the said Johne keiping the streitts clean.*

April 27th.—*Modificatione of Muirtounes entrie.* The Counsell hes modified Muirtoune's entrie to the lands of Boigsyd, Nether Manbeins

* Cf. p. 291, "Extracts from the Records of the Burgh of Aberdeen." Appoynting ane scaffinger for keeping the streits clene.—20th October, 1675.

Haugh therof, Diwellagreine, tuo cruiks and Dreich of Pettindreich perteining to the toune and holdine of thame to 200 punds Scotts money.

June 20th.—*Act anent James Ogilvie.* The Counsell suspends James Ogilvie, measone, from working anie more at the church and declaired him no frieman to work thereat or at anie uther work within the burgh and to be set up in the tolbuith for his neglect of the work and his miscariadge to the magistrats and counsell and is ordained to pay his bygone cess.

July 11th.—*Act anent the comissioner to borrowis and parliament.* The Counsell to meet for drawing up instructiones for Johne Fyff ther comissioner for borrowis and parliament and for cleiring of him.

August 1st.—*Moiss of Mostowie.* The Counsel appoyntit to sight the moiss of Mostowie, this day (if it be drye) at one aclock in the efternoone, and, if not drye, the morrow at nyne aclock.

October 3rd.—*Precept to Johne Fyff.* Paid to Johne Fyff as superplus of his accompt for being comissioner to the parliament and borrowis 78 punds 8s.

Act anent raising James Donaldsones tries. The Counsell appoyntit James Donaldsoune, merchand, to rais up those tries he haid set without his dyck in Lossie Wyne and to lavell the grund and stones set about thame sufficientlie as the samyne was.

November 7th.—*Anent the prissoners in the tolbuith.* Inrespect of the severall assaltis and breachis maid be Alexander Andersoune and Alexander Leith, prissoners within the tolbuith, upon the said tolbuith, the counsell appoynted tham to be secured in the westmost laich tolbuith as the securest prissone.

Act anent the bedler. The Counsell hes appoyntit that the tuentie punds Scotts payit formerlie to the bedler for attending the knock and ringing the great bell at four aclock in the morning and at eight aclock at night and setting up the candle in the church and wther services done be the bedler and servand about the church wherin the magistrats and counsell are concernit sall no more be payit to anie succeiding bedler who onlie hes the benefite of the littill bell for doing therof who cannot extorie anie inhabitant for the samyne which iff he doe the magistrats and counsell are to determine theranent.

November 28th.—*Anent the Test.* The Test now as formerlie being offered be the Provest to the consideratione of the Counsell and desyring

seriouslie to know ther mynds granted they all una voce creawed upon ther joynt perrills ane littill longer speace to deliberat therof to which the provest with thame agreed.

[Blank.] Solemnlie swear in presence of the Eternall God whom we Invocat as Judge, and witness of our sincere Intention of this our oath, That we owne, and sincerelie profess the true protestant religion containt in the Confession of Faith, recorded in the first Parliament of King James the Sexth; and that we beleive the same to be founded on, and agrieable to the writtin vord of God. And we promise and swear, that we shall adhere therto, during all the days of our lyftyme, and shall endeavour to educat our children therin; and shall never consent to any change or alteratione contrar therto; and that we disown and renunce all such principles, doctrins or practises whither popish or phanaticall which are contrary vnto and inconsistant with the said protestant religion and Confession of Faith and for testificatione of our obedience to our most gracious Soveragne Charles the second We doe affirme and swear by this our solemne oath That the King's Majestie is the only supreme governour of this realme over all persons and in all causes as veel ecclesiasticall as civil; and that no forraigne prince, person, pope, prelate, state or potentate hath or ought to have an jurisdiction, power, superioritie, preheminence or authoritie, ecclesiasticall or civill, within this realme. And therfor we doe utterlie renunce and forsake all forraigne jurisdictions, powers, superiorities and authorities, and doe promise that from hence forth we shall bear faith or true allegiance to the King's Majestie his airs and lawfull successors and to our power shall assist and defend all rights, jurisdictions, prerogatives, priviledges, preheminences and authorities belonging to the King's Majestie his heirs and lawful successors, and we farder affirme and swear by this our solemne oath that we judge it unlawfull for subjects upon pretence of reformatione or any other pretence whatsoever to enter into covenants or leagues or to convocat, conveen or assemble in any councils, conventions or assemblies to treat, consult or determine in any mater of state, civill or ecclesiastick, without his Majesties speciall command or expres licence hade therto or to take up armes against the King or those commissionated by Him: and that we shall never so ryse in armes or enter into such covenant or assemblies, and that their lyes no obligatione on us from the Nationall Covenant or

the Solemne League and Covenant (so comonlie called) or any other maner of way whatsoever to endeavour any change or alteratione in the government either in church or state as it is now established by the laws of this kingdome. And we promise and swear that we shall with our utmost power defend, assist and mantaine his majesties jurisdiction forsaid against all deadlie, and we shall never decline His Majesties power and jurisdictions, as we shall answer to God. And finallie we affirme and swear that this our solemne oath is given in the plain genuine sense and meaning of the vords without any equivocation, mentall reservatione or any maner of evasion whatsoever, and that we shall not accept or vse any dispensation from any creature whatsoever. So help us God. George Cuming, provest. Dawid Stewart, ballie. John Spens, Bailzie. P. Chalmer, bailzie. A. Russell, Bailie. Jon: Fyff, Dean of Gild. J. Wynchester, thesr. Ja: Wysman on of the counsell. J. Torrie one of the counsell. Thomas Wood on of the Counsell. J. Chalmer, Toune Clerk.

[Blank.] Solemnlie swear in presence of the Eternall God whom we invocat as judge and witness of our sincere intentione of this our oath That we owne and sincerlie profess the true protestant religion containt in the Confessione of faith, recorded in the first parliament of King James the sexth; and that we beleiwe the same to be founded on and agreeable to the vrittin word of God, And we promise and swear that we shall adhear therto during all the days of our lyftyme and shall endeavour to educat our children therin and shall never consent to any change or alteratione contrary therto, And that we disowne and renunce all such principles, doctrins or practises whether popish or phanaticall which are contrary unto and inconsistent with the said protestant religion and confession of faith and for testificatione of our obedience to our most gracious Soveragne Charles the second we doe affirme and swear by this our solemne oath that the King's majestie is the only supreme governour of this realme over all persons and in all causes as veel ecclesiasticall as civill and that no forraigne prince, persone, pope, prelate, state or potentat hath or ought to have any jurisdictione, power, superioritie, preheminence or authoritie, ecclesiasticall or civill, within this realme; And theirfor we doe vtterlie renunce and forsake all forraigne jurisdictions, powers, superiorities and authorities, and doe promise [ut supra].

Jo: Muirsone, clerk to the crafts. John Warden, deacon of the glovers. John Burges, Deacon of the hamer craft. William Edward, Deacon of the Taylors William Layng, Deacon of the Shoemakers. [Signed also by] James Nachtie [and 18 others] who all subscribe at the comand of the clerk to the crafts. [James Chalmer, notary public and town clerk, adds the names of 27 persons, "because they cannot wreat, except Alexander Winchester, who subscryweth A. W."]

1682.

January 16th.—*Gaird.* The counsell appoyntis sewin upon gaird nightlie to goe through the toune. The thesaurer is appoyntit to giw the officers for watching the prissoners in the tolbuith 24s. Scotts.

January 23rd.—*James Sinclars entrie.* The counsell set in few to James Sinclair in the colledge of Elgin and his airs fourscore foot of lenth from without the wall of the south syde of the east port eastward to 14 foot of breadth for the yearlie payment of 20s. Sc.

January 30th.—*New dore of the laich tolbuith.* The Counsell ordaines the thesaurer to caus mak ane new doubill wanscot dore to the laich tolbuith in plaice of the former dore brunt be Alexander Andersone in Garmoch.

Anent the lock of the said dore. The Counsell is to consider agayne the nixt counsell day who sall pay for the new lock of the forsaid dore brokin be —— Brodie, who was imprissoned therin for stealling Williame Crombie, merchant, his seck.

Thomas Young admitted graw caster. The Counsell admitts Thomas Young, indueller within this burgh, to officiat as ane of the casters of the grawes for the dead in plaice of Johne Peddisoune during their pleasur.

The Counsell appoynts that ane banck goe through the toune be touk of drum that no wnfrieman brew under the penalties contenit in the statutis.

February 20th.—*Drummer choisin.* George Hay in Blackhills chosen drummer. He is to mantein the drum by stickis and all uther necessar and is to have from the toune quarterlie aught punds Scotts money.

Precept anent Dunbar. The Counsell appoynt Johne Dunbar, merchant in Edinburgh, ane distressed merchant four markis Scotts

money conforme to ane precept to be granted to him be ane of the baillies upon Johne Innes, merchant, as collector of the furnicators ther fynes.

Baillie Spens tack. Johne Spens, baillie, hes tackin the grass of the Marievall for ane yeir paying aught marks Scotts money.

April 3rd.—*Postmaister.* Archibald Stewart, merchand, appoyntit postmaister as to the rydding horse for the use of strangers and for that effect to be regulat be the magistrats as to the pryces.

Act anent Thomas Murray, kaird. Thomas Murray, kaird, is licencit be the magistrats and counsell to work in the toune he deporting himself civillie and that during the magistrats there pleasur.

May 1st.—*Act anent burges bills.* The Counsell appoynts heirefter that all burges bills to straingers be sealled with the littill seall with wax upon the margin or end therof.

December 4th.—The Counsell appoyntit James Wysman, baillie, Johne Torrie and James Chalmer, clerk, with four men furth of each quarter airmid to goe through the marcat anent the acts of brugh and homzald.

1683.

January 31st.—*Anent the Earle of Murrayis entrie.* The Counsell appoyntit James Chalmer, clerk, to goe with ane baillie and taik the Earle of Murray his saisingis and his sones Sir Charles Stewart in fye of the Lands of Diwellagrein, Nether Manbeins, Haugh therof and Boigsyd holdin of the brugh of Elgin conforme to tua charteris contening ane novodamus of the saids lands grantit be the magistrats and counsell of Elgin to thame. David Stewart, commissar of Murray, makes payment therefor of £200 Scots money to James Winster, clerk of the burgh.

February 12th.—*Anent the Marschells cloithis.* The counsell appoyntit the thesaurer to giwe the marschell cloithis.

March 12th.—*Baillie Wysman's tack of the Cattails.* James Wysman, baillie, hes taikin the provest and James Andersounes pairts of the Cattails payand for boith yeirlie sex punds Scotts.

March 19th.—Thrie punds Scotts to be given out of the penalties to Thomas Mylne, Rymer, ane poor old man.

April 16th.—*Anent the removall of scheip and cowis and anent draff.* The Counsell appoyntit ane bank to goe throughe the toune this day be the drummer for removing the cowis and scheep and that no draff goe out of the toune but to such burgesses as bear burding wnder the penalties contenit in the statutis.

*Act anent Lykvakis.** The Counsell appoyntit ane banck to goe through the toume upon Frydday nixt for adverteissing all the inhabitants within this burgh or territories therof that none presume to cum to lykvakis but such as ar the relationes and freindis of the defunct or particularlie called under the payne of fywe pundis toties quoties.

April 30th.—*Lord Duffus entrie.* The said day James, Lord Duffus, entered to Mostowie be precept of clare constat as air to his father for the duplicando which is tuentie ane pund 13s. 4d. payed to the thesaurer.

May 28th.—The Counsell taik to advyse anent Kinminities and sones entrie to the lands of Mostowie. The son is a minor.

July 16th.—*Act anent presenting plaiding to the marcat.* The Counsell appoyntit ane bank to goe through the toune upon the marcat ewin nixt at ane aclock appoynting all plaiding webbis to be presented to the marcat be tuo aclock in the efternoone and not to be concealled in houses nor buithis wnder the payne of four punds Scottis for ilk web that salbe concealled or saised upon.

July 23rd.—*Ratificatione of Archibald Stewarts Act.* The Counsell ratifies the Act grantit in favouris of Archibald Stewart as postmaister and ordainit ane alphabet to be drawin to him. The Counsell grants to him full power and priviledge of being postmaister of all hyring horses in the imployment of ryding within this burgh with all the profeits, dewis, emoluments, benefitts and casualities due and payabill for the samyne be the maisters, winners, servants and followers of horses so to be hyrid . . . with power to the said Archibald Stewart to exact payment thereof from the respective hyrers from tyme to tyme immediatlie efter there severall imployments in and gaining of their saids hyres and to force, constraine and compell thame to serve the leidges at the ordinar raitts usuall and acustomat and iff neid beis upon warrand from ane magistrat to peynd and disrenzie ther goods and geir

* Cf. p. 173, "Extracts of the Records of the Burgh of Aberdeen." Renewal of Acts anent lykewakes, whereby only "ten or tuelff persons of the neirest freinds and nichtbours" were allowed to be present, and "that there be no droges, or deserts or singing." (24th March, 1658.)

or imprisone ther persounes for reduceing thame to ther due obedience, excepting furth of this present act and commissione power and libertie to the saids hyrers to hyre there horses betuixt the rivers of Spey and Ness to anie inhabitant within the brugh of Elgin as occasione sall offer for which they are novyis to pay anie dewatie to the said Archibald Stewart.

Anent the marcat. The Counsell appoyntit John Fyff, Deangyld, and James Stewart with his clerk to visite the marcat being Sanct James Day, 1683.

[About this period the place of meeting of the Town Council is seldom given. However, the minute of one meeting thus begins: "At Elgin and within the South Isle of Sanctgeil's church therof the forsaid tuentie third day of July, 1683 yeirs, a meeting anent James Cuming's yaird, etc."]

August 13th.—*Act anent the cornis.* The Counsell appoyntit ane bank to be bet be the drummer throughe the toune intimating to all the inhabitants therof as also to all maisters, servants, prenteisses, scholers, children, hyrers, nor no other persoune whatsumewer that they nor none of them presume to goe to the feilds in the summer tyme to destroye the cornis of whatsumewer graine especiallie peas, beanis, whyt and grein rye in tyme cuming either by cutting, catting, pulling or destroying the samyne each persoune wnder the paines contenit in the former statuts with this addition that ilk hyrer and kerter being convict salbe lyabill in the soume of fywe punds money for the first falt and in the soume of ten punds money for the secound falt and banischment from this brugh and territories thereof and warding ther persounes wntill they remow therfra and each parent of children, maister of fyalls and uther prenteisses be lyabill for ther fynes as iff they war the remitters therof themselffis. Lykas the baillies ar appoyntit to intimat the samyne to the maisters of the Grammer and Musick schoolls.

Act anent the bitches. Sicklyk that no bitches be keipid within brugh wnder the paine of sex punds money by and attour the reparatione of what damnadge the inhabitants sall happin to sustaine therthrough and both actis to be addit to the statuts.

August 20th.—*Act anent Thomas Allane.* The counsell upon ane supplicatione giwin in be Thomas Allane, pewterer, supplicating for his fricdome within the said brugh did wpon the acompt of his preterite

good behawiour and honest cariage in his calling within this brughe and their expectatione therof for the future grant the samyne to him and as gyld brother gratis and ordanit the clerk to giw him his bill boith as frieman to the toune and gyldrie.

August 27th.—*Precept anent John Fraser.* The Counsell appoyntit the clerk to grant precept to Johne Innes, collector, of the penalties for sex punds Scottis to Johne Fraser, ane merchant that was taikin be the Turkis.

October 1st.—*Anent the marcat.* The counsell appoyntit James Winchester and John Torrie with the clerk to visite Michaell marcat who ar to haue with thame Petter Hatmaker and tuell men.

October 22nd.—The counsell appoyntit the baillies to goe through ther severall quarters this week for searching the houses for lint, hemp and wther combustabill maitter and wher they find anie such to mak cesar therof to the officers.

November 26th.—*Act anent Naughtie.* George Cuming, provest, gaw in ane complaint to the magistrats and counsell complaining upon James Naughtie, y^r^., turner in Elgin, that wher the said James Naughtie did most baislie abuse the said provest by manie opprobrius speiches and particularlie (ther being certane honest men drinking in ane roume and becaus they wald not permit him access) he said he wald be himselff in though the provest of Elgin war there and Naughtie compeiring confest the samyne and pat himself in the magistrats and counsell ther will, who for abusing his magistrat did fyne him in fourtie punds to be instantlie payed and ordanit him to stand in the jowggis at the trie in the fisch marcat during the magistrats pleasure in example of uthers.

1684.

February 18th.—The Counsell dispensit with the mortcloth and bells to Margaret Lesly in respect scho was last ane ballies wyff.

The Counsell appoyntit Thomas Wood as hospitall Mr. to advance to William Brodie, smyth, militiaman, sex punds Scotts money to help to pay the caire for healling his leg.

May 12th.—The Counsell grantit ane tack of the grass of the Chanrie church yaird to [blank] for this yeir, 1684, for payment of ten marks Scotts money.

June 2nd.—The Counsell appoyntit Baillie Russell with the clerk and sum uther few persones to visite this Tarintie mercat nixt.

The magistrats ordaines Alexander Ogilvie to close, glas and tirle his windowis opposite James Donaldsoune his close.

[On 29th October, 1683, James Donaldson produced before the Town Council a decreet of the Lords of Council and Session of date, 5th February, 1678, whereby the said James Donaldson has liberty to build within his own close within an eln of the back wall of John Ogilvie's house but no nearer.]

June 9th.—The Counsell appoynts the tounes marches at the west to be visited the tent instant be eight aclock in the foirnoone and appoyntit the officers to adverteis the inhabitants to goe along with the magistrats.

June 16th.—The Counsell appoyntit Saturday nixt for wisiting the tounes east mairches be eight aclock in the morning and the magistrats and counsell to have along with thame sum of the old inhabitants best known therwith.

August 4th.—*Act anent unfriemen.* The counsell appoyntit each one of the militia men that are put of to pay fyftie marks Scotts money for ther friedome and for that effect appoyntit the thesaurer to caus chairge them all to the court agaynst Wednesday nixt.

August 25th.—*Act anent the marcats.* The Counsell appoyntit the baillies [and others] to settill anent the fairres of this burgh and to giwe ane acompt whow the samyne may stand with uther marcats for giwing notice therof to Johne Forbes, printer at Aberdeen.

October 6th.—*Anent the tounes compts to the Counsell.* The counsell appoyntit Robert Innes, baillie, and James Wysman, baillie, with the clerk to draw the tounes chairge and dischairge to the counsell of Scotland of the tounes commoune good.

Act anent the imprissoning of the Non-Conformists. The Counsell in order to the sentence pronunced be the magistrats agaynst the non-conformists appoyntit the persounes of Elizabeth Mairtin, Jeane and Kaithrein Brodies to be put in prissoune and the counsell instantlie to sie the samyne done. The which day immediatlie efter counsell the magistrats and counsell with the officers did mak search for the whole forsaid three persounes and finding none of thame but Jeane Brodie war going to put hir in ward but Alexander Thomsoune promesit to present

hir unto the saids magistrats on Wednesday therefter under all hiest paine and to releiwe thame of what prejudice they micht incur be hir anie maner of way whatsumever and sicklike they having searchit the hous of Kathrein Brodie and not finding hir protestit agaynst William Brodie, hir husband, personallie present that he micht be lyabill for all prejudice they might sustain theranent as said is and ordainit him to present hir upon Wednesday nixt under all hiest paine conteinit in the Acts of Parliament as also hawing searchit the hous of Elizabeth Mairtin and not finding hir protestit vt supra and caussit cite hir at hir hous agayne Wednesday nixt and thir things war done about ten aclock in the foirnoone. Witnesses: Johne Gerrie, James Winchester, Johne Fyff and Thomas Wood, burgesses of Elgin.

November 3rd.—*Schembills.* Upon consideratione Johne Glass, flescher, is ane excommunicat papist, the counsell denudes him of having anié tack of the schembills.

December 1st.—*Visitatione of Andersmes marcat.* Baillie Stewart to visite Andersmes marcat.

December 22nd.—The thesaurer appoyntit to giwe everie one of the officers tuell schillings Scotis as ther Christmes waiges.

1685.

January 28th.—The said day the counsell appoyntit the address maid to the Lords of his Majesties Counsell and Justiciarie to be bookit conforme to the tenor therof in maner efter specifiet: Elgin the 28 of Januarij 1685. The which day conveined in the commoune counsell of the said brughe the haill foirnamit persounes of Counsell who in considderatione that his Majesties affaires call for sum present supplie (besydes that imposed be Act of Parliament) hawe with unanimous consent and with the chearfull and vnanimous consent of the haill burgesses and inhabitants of the said burgh frielie and villinglie offered as by this their present act they all in one voice freelie and willinglie offer giw and grant for his Majesties service and vse thrie monethis cess according to the present valuatione of the said brughe to be payit at the terme of Candlemes next insueing which they humblie beseich the lords of his Majesties Counsell and Justiciarie vested with his Majesties commissione in this plaice maybe pleased to accept as ane present

demonstratione of their loyaltie, obedience and affectione, promeising there present and future fidelitie and alledgiance for which and the readie observing of his Majesties lawis and actis of parliament they ar most willing in the strickest manner to subscrywe ane obligatione apairt which is to them heirwith to be presentit and delywered and for forder securitie of making the premisses effectuall thir presentis is subscryvit at comand of the provest, baillies and counsell be me James Chalmer, clerk of the said burgh.

February 16th.—*Note of delywerie of warrands to the thesaurer anent liberating persounes furth of the tolbuith.* The said day ther was four severall warrands of the respective daitts efter specifiet delywerit to James Winchester, thesaurer, for setting the persounes wnder designed at libertie out of the tolbuith of Elgin all subt. be John Andersone, Clerk to the Commissioners of Counsell and Justiciarie, on wherof daittit the fourt of Februarij instant for releiwing of James Brand, weawer in Urqrt., ane uther daittit the tuentie nynt of Januarij last for liberating of Robert MacDermit and the uther two on wherof for selling Christane Lesley lawll. dochter to wmqll. Mr. Williame Lesley of Aikenvay, and the uther for setting Jeane Tailzour at libertie boith daittit the allewint day of Februarij instant.

March 2nd.—*Warning against Thomas Nobill.* The counsell appoyntit James Winchester, thesaurer, to wse ane warning agaynst Thomas Nobill and his daughter from the church wolt and to arrest what plenishing he haid therin.

Arrestment on the work without the Est port. Sicklyk appoyntit to arrest the work that was bigging without the east port be James Baxter perteining to the toune which was formerlie possest be wmqll. Thomas Law, hyrer.

March 16th.—James Wysman, baillie, gaw in ane complaynt upon Williame Wardone, elder, glower for his horrid cursing of all that maid chois of James Wysman as ane judge. Two witnesses deponed that they heard Warden say that he wald kill Wysman betuixt the pleugh stiltis and taik his soule out of his syd and cut it in thrie peices. The counsell ordaines the officers to mak present search for him and set him in prissone ad avisandum to the sentence.

March 30th.—The counsell hes set the grass growing in the Trinitie churchyaird to James Wysman, baillie, for thrie yeiris paying aught

marks Scotts money. The counsell appoyntit the thesaurer to dispose of the aisch trees in the Trinitie churchyaird to be sold to the best availl and to be imployed for building ane pairt of the dyckis of the said yaird.

April 6th.—The thesaurer to speak to ane measoune for building the Trinitie church yaird dyck.

William Warden his sentence. The counsell anent the former complaynt giwin in agaynst William Wardone, elder, be baillie Wysman, haw declairid his friedome null and taikin the samyne from him and ordainit him to delywer up his burgess bill to the clerk and decernit him to mak payment to the thesaurer of thriescore punds Scotts money instantlie and ar to advyse anent his personall punishment the nixt counsell day.

April 13th.—*Act anent the building of the Trinitie Church yaird dyck.* Forsameikill as this burghe is presentlie about to repair the yaird dyck of the Trinitie church and for that end to dispose of the haill steanis and rubisches alreadie led and to be led from Sanct Geils Church it is therfor appoyntit be the counsell that publicatione be maid be touk of drum throughe the brughe inhibiting ane persoune to presume to build or erect anie more monuments heirafter without designment from the magistrats and when so designit that the samyne sall not be of the stones aither of the said old Cathedrall or of those led or to be led from Sanct Geills church and with furder certificatione that those that does not enter and continow in building of their monuments wpon libertie as said is betuixt and the last day of Julij next bringing alwayis the stones from the quarrie they salbe simpliciter debarrid not onlie till they get libertie but also wntill they pay ane compositione for the samyne (counsellors onlie to be exceptit) and except as to the stones as also accepting alwayis the spaice of tuentie foot or therby opposit to wmq^{ll}. James Tarres gait appoyntit for ane monument to Patrik Chalmer, baillie, and James Wysman, baillie, and their families.

April 20th.—*Act anent Kaithrein Patersone.* The counsell appoyntit Kaithrein Patersoune, spous to William Clerk, post, to be set at libertie wpon hir subscrywing an act for hir good and peaceable behaviour to Robert Mairtin, tailzour, his wyff and familie in tyme cuming wnder the paine of perpetuall banischment from this brughe and haill territories therof.

May 25th.—*Gaird.* The counsell in respect of the troublis in the countrey and kingdome appoyntit tuentie men nightlie upon the gaird

who ar to enter at nyne aclock at night and to continow till four aclock in the morning and ordainit all of thame to be sufficientlie airmid and begin this night.

June 8th.—It being complained that the guiding and dung in the gutter at the end of the Lossie Wynd perteining to this burghe was taikin avay be Alexander Dunbar, tennent in the borrow brigges, he being present denyed the samyne. Thomas Watsoune, maltman, compeired and tuik ane thrie yeiris tack of the said guiding and dung paying 33s. 4d. Sc. at ilk Mertimes.

June 15th.—The counsell appoyntit the baillies with the thesaurer to meit this efternoone for modelling the gaird nightlie. The counsell appoyntit baillie Innes, baillie Chalmer and Collein Innes to meit with Thomas Smyth, smyth, for agreeing with him for making the partizans and halberts. The counsell appoyntit threttie men upon guard during the marcat tyme.

July 13th.—The counsell giw 28s. Scotts to Williame Brodie, smyth, ane seick sojor.

July 27th.—*Anent the peatcasters of Mostowie.* The counsell appoyntit the peat casteris in Mostowie to be all cited to ane court to be holdin within the tolbuith of Elgin Frydday nixt and appoyntit the baillies to fyne each persoune fund guyltie of holling of peattis or fir to anie persoune except to the inhabitants of the said brugh. The counsell did allow and approwe of James Wysman, baillie, his casting of peatts in the moiss of Glasgrein this yeir.

August 10th.—*Anent Linkvood's ryat.* The said day the counsell continowit ther verdict anent Linkvood's ryat in throwing doune the Trinitie Churchyaird dycks till the rest of the magistrats sould be present and the counsell more full.

August 24th.—The counsell ordainit the thesaurer to speak to Baillie Donaldson and his sone to bring home metts, weights and measures to this brugh (conforme to the proclamation emitted be the Counsell of Scotland theranent) and appointed the great bell to be sighted in respect of some defects.

August 25th.—The counsell ordainit instructiones to be drawn up for raising letters against John Spens in Main for wounding, stricking, beating, blood and blae giving to William and James Nivens and John McAndrew, hyrers, upon the ground of the Cattaills being within the

liberties of the burgh of Elgin and for his deed of intrusion upon their liberties by destroying their grasse with his bestiall and against Alexander Grant, shereff clerk, for his frequent oppression of the inhabitants and against Robert Gibson of Linkwoods for ane ryot comitted be him in throwing down ane slap in the Trinity Churchyard dyke lately builded up be the magistrats.

September 7th.—The Counsell decerned Thomas Stevin, merchant, to pay ane dollar to the thesaurer for his absence from the guard Saturday last at night.

September 15th.—The Counsell appoyntit the haill none-conformists within this burgh that have not sett caution for there future behaviour in frequenting the ordinances conform to the acts of Parliament and Counsell anent church regularities to be instantlie imprisoned according to the list given to the officers.

October 12th.—The counsell appoyntit ten furth of each quarter for giwing ane wolley schot at the croce on Wednesday next efter sermone to be ordered be Johne Duff, deangyld, and Collein Innes. The counsell appoyntit the baillies to revise their quarters and to taik notice who hes or wants airmis. The counsell ar to have their thoughts agayne the nixt counsell anent the distributione of the halberts.

October 19th.—This day the gaird begun.

November 2nd.—The Counsell did modifie Linkwood's ryot anent the beatting doune the sklait of the church by schootting therat upon solemnitie day to fyftie punds Scotts.

November 16th.—Thomas Watsone appoyntit keiper of the knock and to get ten punds Scotts furth of the church penalties.

1686.

January 16th.—The Counsell modified Pettinseairis entrie to the lands of Pettinsear to tuentie marks.

February 1st.—The thesaurer hes receawit Robert Gibsoune of Linkvood's precept of clare constat as air to his father of the lands of Glasgrein, Muirtack and tuo aughten parts for which he is to be receawed.

March 29th.—Johne Rynd, gairdner, and Gilbert Hay, glower, war appoyntit to be friemen and ilk ane of them to pay fyftie marks Scotts to the thesaurer.

Act anent Johne Man his foirstair. Anent ane complaynt giwin in to the counsell be the inhabitants agaynst Johne Man, merchant, for letting and suffering the old tymber, sklaitts and wther old rubbish of his foirstair demolisched by the fall of the theck of Androw Ramsay his foirhous lye in the channell of the streat which hinders the current therof and is wnhandsoume on the streat and the said Johne Man hawing bein severall tymes adverteised to remow and taik the samyne avay and applye the samyne to there aune wssis.

Act anent Williame Cuy. Williame Cuy, tailyour, decernit in tuentie punds Scottis for resseat of straingers and ordanit to be put in prissone till he pay his fyne and the officers to put the strangers furth of the toune.

April 19th.—*Ane letter to be writtin to the Laird of Grant.* The Counsell concludis to wreat ane letter to the Laird of Grant shewing him the way and manner how Mr. Alexander Grant, tacksman, of the Old Mylnes does oppress the maltmen, brewers and inhabitants of Elgin by seizing upon and wiolentlie avay taiking of there malt without order of law and in the meantyme the counsell concludis to caus stop, interrupt and resist him from such practisis in tyme cuming.

April 26th.—*Anent the resseat of the Tounes peapers that wmq^ll^. Mr. Robert Mairtin haid.* John Torrie delywers to the magistrats and counsell the tounes great chairtor daittit in October, 1633, and saising following thervpon daittit the third of Februarij, 1637, ratificatione daittit the tuentie of Mairch, 1661, ane wther ratificatione daittit the 22 Mairch, 1524, and chartor of the tounes comoune lands and priviledges dated 1457 with the haill interruptiones anent the tounes mairches and uther peapers conforme to Mr. Robert Mairtin's ressait and inventar sent. Baillie James Wysman has receawit the ratificatione daittit in Mairch, 1661, with 100 marks to procure ane ratificatione in this parliament.

Baillie Stewart as Commissioner hes receawit 300 marks for defraying his chairges as Comissioner to this present parliament.

May 3rd.—The counsell appoyntit James Winchester, thesaurer, to caus help the east port.

June 14th.—*The ratificatione (1661) delywerit back to Baillie Innes.* James Wysman, baillie, delyweris back the tounes ratificatione daittit

the tuentie of Mairch, 1661, to Baillie Innes to be put in the cadget and the counsell appoyntit Baillie Wysman to delywer back the 100 marks.

June 21st.—*Anent Mostowie.* The counsell appoyntit the Moiss of Mostowie to be visited upon Wedinsday next be the Magistrats, counsell and inhabitants and for that effect that they convein the foirsaid day be sex aclock in the morning at the croce to vayt upon the magistrats and therefter to mak report.

July 12th.—*Moisses to be visited.* The counsell appoyntit the Moiss of Strathcant and Glasgrein to be visitit this efternoone and the moiss and greinis the morrow.

July 20th.—*Act anent the greins of Aldroughtie.* The counsell wnanimouslie concludit and ordained the peatts and greingrund castin be Williame Sutherland in Aldroughtie and his tennents to be castin in agayne in the pottis and for that effect the haill counsell with certane of the inhabitants to goe the lenth be ane aclock in the efternoone this day at the ringing off the bell each persoune wnder the paine of fywe pundis Scottis.

August 2nd.—[Letters of lawborrows to be sent for against William Sutherland in Auldrochtie and his tenants, Francis Brodie of Innerlochtie and his tenants of Mickle and Little Innerlochties and Whitefield.]

October 4th.—*Act anent Straingers.* The counsell appoyntit the baillies to goe throughe ther quarters for searching straingers and for searching of lint and uther combustabill maitter.

October 25th.—[The trunk with the town's papers to be received from James Winchester, treasurer, on account of his sickness.]

November 1st.—*Act anent cess and stenting therof.* The counsell appoyntit the whole inhabitants within this burgh that hes the benefite of the maill and peat markat flesch and fisch marcat to pay cess in respect the plaice wtherwayes is not aibill to bear the burding. The counsell appoyntit Saturday next be nyne aclock in the foirnoone for stenting the cess.

1687.

January 1st.—The counsell appoyntit the drum to be beat throughe the touue and ane adverteisment to be giwin to all the inhabitants that they pay ther cess this day at tuo aclock in the eftirnoone at the ringing

of the bell with certificatione to the deficients that they will be quartered upon the morrow or imprisoned.

April 25th.—*Anent the keyis of the cadget.* The counsell appoyntit Patrik Chalmer and Alexander Dunbar, baillies, to call for the keyis of the cadget from George Cuming, lait provest. [Present provost—Sir Alexander Innes of Coxtoune, knight barronet.]

Stenters for the Witsoundayis terme, 1687. James Wysman, baillie [and 17 others], appointit to stent the Witsoundayis cess, 1687, each persoune to be cited be the officers in ther respective quarteris to appeir at the head court of the burghe the third day of Maij being Tysday nixt to mak faith in presens of the peopill for stenting the said cess wnder the paine of tuentie punds Scotts money for each absent besydes there being censert be the magistrats and counsell for breach of ther burges oath.

Visiting of the quarteris. Baillie Grant to visite the south east quarter for causing search for straingers and all combuistabill maitter that may occasione fyre, Baillie Chalmer the south vest quarter, Baillie Dumbar for the north west quarter, Baillie Wysman for the north east quarter.

Visiteris of the flesch marcat. Appoyntit Johne Innes and Johne Phimister, merchands, for visiting the flesch marcat and what flesches they find to be wnsufficient and not wourthie to cum to the marcat that they distribute the samyne be sight of ane magistrat to the officers and beadmen.

Lynsteris. The counsell continowed James Young, glower, Androw Ramsay, merchand, Alexander Brodie, merchand, and Johne Winchester, merchand, lynsteris.

May 2nd.—*Anent the few dewaties.* The counsell appoyntit Saturday next for collecting the few dewaties with certificatione imprissonment.

May 9th.—*Keyis of the high tolbuith.* The keyis of the high tolbuith wher the tounes airmes lye delywered to Kenneth Mackenzie, thesaurer.

Anent rouping the tounes comoune landis. The counsell appoyntit the gooscrook, cattailles and uther of the tounes comoune landis and grass to be put to ane roup on Wednesday nixt betuixt allewin and tuell in the foirnone and for that effect ane banck to be beat this day.

May 23rd.—*Roup of Gooscrook and Marie vall grass.* The counsell corroboratis the roup of the Marevall grass roupit be George Grant for

sewin pundis fywe schillingis sex pennies yeirlie and the roup of the Gooscrook roupit be Robert Andersone, writer, for sex pundis threttein schillingis four pennies yeirlie.

Roup of the Schembillis. The schembills roupit to fourscore punds Scotts money and acceptit be Johne Geddes, glower, alias Boiggis. The customes therof to be conforme to the alphabet efter specifiet viz. each ox to pay tuo schillingis and each fed ox efter fastingsewen tuo schillingis, each cow tuo schillingis, each huddrone [hudderone = a young heifer] weall tuo schillingis, each sucking weall ane schilling, each suyne of the lairgest syse one schilling four pennies each, lessell suyne ane schilling, each scheep eicht pennies, each kyd sex pennies, each lamb to pay four pennies.

June 4th.—*Anent the postmaster.* The counsell appoyntit Wednesday nixt for rouping of the postmaster of the horses.

June 20th.—*Visiting the mairches.* The counsell appoyntis ther mairches to be wiewed and ridden on Saturday next in the foirnoòne and for that effect that the officers mak intimatione through ther particular quarteris and that the clerk wreat to Myltoune to meit at the gooscrook the said day.

August 18th.—The meiting of borrowis grantit that the lands callid the Cattails and greines betuixt Mostowie and Auldrochtie be fewit or set out in long tackis.

August 20th.—*Anent the marschellis cloiths.* The counsell appoyntit the theasurer to giw Johne Findlay marschell cloithis.

September 5th.—*Anent oyll to the knock.* The counsell appoyntit the theasurer to ansuer the bedler oyll and tallow to the knock and bellis when necessitie requerid him to call for it.

Anent the visitatione of this brughe by uther brughis. In respect of the ensueing visitatione of this brughe to be maid by the brughis of Bamff, Cullen, Forres and Nairne the Counsell appoynts the sds brughis to be saluted in the tounes name and letters to that effect to be drawin.

September 26th.—*Anent the kingis letter.* Ther was ane letter presentit subscribit be Duk Hamyltoune in presens and be warrand of his Majestes privie counsell direct to the provest and remanent magistrats of the brugh of Elgin daittit the sexteint of September instant prohibiting and dischairging anie new electione of magistrats and counsell within this brugh this yeir and the present magistrats and counsell ar therby

authorized to continow and exerce as magistrats and counsell wntill his Ma/ sall signifie his further pleasour.

October 10th.—*Anent the Solemnitie.* The counsell appoyntit each baillie in his aine quarter to convein those within the samyne preceislie upon Frydday nixt be eight aclock in the morning being his Majesties birthday for solemnizing therof and that upon the croftis betuixt the east port and Messindew ther to attend the magistrats in ther best cloathing and airmis without respect to precedence or prioritie of plaice by deacounes or utheris and then and ther to receawe ther order from the magistrats each persoune wnder the paine of tuentie pundis Scottis money besydis uther corporall punischment and imprissonment and baidge of disloyaltie.

Anent the chuissing ane advocat for the toune. The counsell in respect they want ane advocat for the toune for the tyme vnanimouslie condiscendit to imploy Mr. James Grant advocat for the toune in ther effairs he being upon the plaice and appoyntit Kenneth Mackenzie, theasaurer, to giw him tuo guines and tuo dolleris to his man.

Anent fonr punds Scottis to the officers. The Counsell appoyntit the theas^r^. to giw the officers coatts and four punds Scottis money.

December 12th.—*Intimation anent Mr. Johne Stewart.* Androw Monro, Shereff Clerk, and Johne Winchester, merchand, maid intimatione that Mr. Johne Stewart was to preach at Murrastounes hous as ther actuall preacher.

1688.

May 7th.—*Act anent anie that miscaries.* The Counsell forasmuch as sum abuissis hes bein in the streittis be sum wndiscreit persounes in reproaching and maligning of sum churchmen at that tyme about there laufull occasiones for which inquirie haith bein maid though not as yet detected. Therefor the counsell appoyntes furder inquirie to be maid theranent that dew punischment may be inflicted according to the merite of the caus and that the qlk abuise may be suppressid in tyme cuming to anie discreit persoune of whatsoewer statione or imployment doe furder ordaine and appoynt that the comitteris therof of whatsoewer sex, aige or qualitie salbe immediatlie upon discoverie imprissonid within the tolbuith ther to remaine wntill they receawe ther sentence whither by

Pano Port.

scurging, fynning, banischment or long imprissonment viz. iff they be abow the aige of tuell yeiris by scurging be the hand of the marschell and if children within that aige by severe and examplarie correctione at the discretione of the magistrats and uther wndiscreit persounes be banischment and if they be persounes in banis to be imprissoned till they be fynid be discretione of the magistrats by and attour corporall punischment and anie that taikis furth children to such wndiscretiounes salbe equallie guyltie and punisched as the principall actors to the terror of utheris and this to be publischid be touk of drum upon frydday nixt be ten aclock.

The counsell appoyntis the haill members of Counsell to be cited and present in the counsell hous in order to the giwing of ane returne to ane letter direct be the lord Pearth to the provest, baillies and counsell of Elgin anent the setling and electing of Johne Donaldsoune of Craggan to be clerk and the clerk to bring the counsell book anent his electione.

May 24th.—The Counsell ordainit the whole Counsell to be cited agaynst Munday nixt, the 28 instant, at allewin aclock in the foirnoone and ilk ane that is absent to pay tuentie pundis Scottis that faillies being in health anent the ansuer to the Earle of Pearthis letter.

October 1st.—There was presented in counsell be the provest ane letter sent be Sir Williame Patersoune, clerk to the privie counsell, direct to the provest and baillies of the brugh of Elgin to be communicat to the Counsell therof daittit the thretteint day of September last mentioning his Ma/ letter direct wnder his royall hand daittit at the Court at Windsor the tuentie nynt of August also last wherby his Ma/ suspends the electione of Magistrats and Counsell of royall borrowis within this kingdome in their respective plaices wntill his Ma/ sall declair his further pleasour off the which letter to that effect the tenor followis: Ed^{r}. the thretteint of September, 1688, whereas the king's most excellent Majestie hath by letter direct wnder his royall hand daittit at the Court at Windsor the tuentie nynt day of August last bypast signified to his privie counsell that he haith thought fit to suspend the electione of Magistrats and Counsell of Royall borrowis within this kingdome wntill he sall declair his further pleasour The lordis of his Majesties privie counsell in persuance of his majesties comand doe heirby authorise and allow the magistrats etc. of his royall brughis of this kingdome formallie nominat to continow to exerce in their respective offices therin wntill his

Majesties further pleasour be signified to thame. Extractit by me, Sir Williame Patersone of Grantoun, barronet, clerk to his Majesties most honourabill privie counsell. Sic subt. Will: Paterson.

The Counsell appoyntit the nynt instant be ten aclock for the head Court and the officers appoyntit to adverteis the peopill therto.

October 9th.—[The king's letter produced as to installing John Donaldson, town clerk, and referred to next full Council.]

[Follows blank of three pages in Minute Book.]

1689.

January 7th.—Robert Innes, lait baillie, presentit ane Act of Counsell anent the electione of the provest, baillies, tounes counsell and clerk of the said burghe of Elgin under the hand and subscriptione of Collin Mackenzie, ane of the clerks of the counsell of the dait at Edinburgh the 22 day of December, 1688 yeiris, wherof the tenor followis: Att Edinr. the tuentie secound day of December, 1688 yeiris, anent the petitioune presented by Williame Crombie, merchand in Elgin, for himselff and in name and behalff of and as hawing warrand from manie of the nighbouris, burgesses of the said brugh and inhabitants therof shewing that by the influence and indirect meanis of some persounes the magistracie of the said brugh war turned out and letters procuired from his majestie nominating wther magistrats, clerk and wther members of counsell who war for the most pairt straingers to and wnconcernid with the affaires of the brughe and haid exercid there offices to the great prejudice of the said plaice and decay therof which can evidentlie be demonstrat and wnder which the poor peopill of the plaice haw patientlie sufferid and therefor humblie supplicating the Counsell to taik the premisses to considderatione and to grant order and warrand in manner and to the effect under writtin. The Lordis of his Majesties privie counsell haueing heard and considderid the forsaid petitione doe heirby grant order and warrand to the provest, baillies, toune counsell and clerk of the said burgh of Elgin who war in office the tyme immediatlie preceiding his majesties nominating a provest, baillies, counsellors and toune clerk therof to meit at the ordinarie plaice of their electione with all convenient

diligence and then and there to sit, vote and act as magistrats, toune counsell and toune clerk of the said brughe and to proceid to a regular and frie chois of provest, baillies and toune counsell of the same and haill members therof for the yeir insueing 1689 except the clerk who was for the tyme immediatlie preceiding his majesties said nominatione of ane uther clerk whom they heirby repone to and continow as toune clerk of the said brughe &c. and the present magistrats and clerk are heirby orderid to delywer to the saids magistrats and clerk the haill chairtor cheistis, recordis, wreattis, &c.

The said day conforme to the forsaid Act and order the whole magistrats, counsellers and clerk who war magistrats &c. preceiding his majesties nominatione (who war alywe and aibill to exerce) Provest Cuming hawing declaired himselff wnabill to exerce in respect of his aige and seiknes the rest did meit except James Winchester, theas^{r}., and Collein Innes removid by death.

The Counsell electit David Stewart, provest, &c.

January 14th.—*Anent the randewouz.* The counsell appoyntit Thurisday next be nyne aclock in the foirnoone for the randiuous.

Visitatione of the quarters. The counsell appoynts Baillie Innes and Kenneth Mackenzie to visite the south syd of the toune and baillie Fyff and Johne Smyth to visite the north syd and to trye who hes pouder and lead to sell and caus secuire the samyne once this day.

January 16th.—*Anent the airmis.* Names of those that Robert Innes, baillie, delywerit the airmis to who wantit, within the toune, for keiping gaird and to be delywerid back agayne when requerid. [9 persons receive halberts 3 halberts in form of a star 20 muskets and 1 a firelock. The persons are carters, glovers, hirers, weavers, etc.]

January 21st.—*Anent those that layis muck in the streatts.* The officers appoyntit to cite those that layis muck on the streatts.

January 28th.—*Anent wnfriemen.* William Paull, merchand, being cited to be burges and frieman of the burgh compeired and was content to doe the samyne as his faithers secound sone and the Counsell modified his friedome by paying the gyldrie to tuentie punds Scottis.

February 11th.—The theasaurer to pay Johne Cuy, tinker, four punds Scottis for dressing the knock.

March 18th.—The counsell appoyntit the grass of the Trinitie Church yaird to be roupid the first court day.

April 15th.—Alexander Parker, officer, having misbehawed in the exercise of his office and intruding himself in Ballindallochis companie is dischairgit and his coat to be taikin from him.

May 13th.—Gawin Watsoune appoyntit postmaster for ane yeir.

May 15th.—In presence of Sir James Innes of that ilk as overseer the burgesses by way of poll elect the magistrats and counsell till Michaelmes by act of the estates of this kingdom. [The former magistrates and council were for the most part continued in office. Two magistrates dead. Kenneth McKenzie, apothecary, and Alexander Ogilvie, merchant, were elected two of the bailies. Sir Robert Gordon of Gordonstoun, knight baronet, was elected one of the council.]

June 24th.—Baillie Caldell and Baillie Fyff gaw in ane acompt of the chairges and expenses they haid bein at in going to Edinburgh anent the electione and my lord Dundie extending to 163 pundis 4 schillingis.

September 9th.—The counsell ordanit ilk indueller in Mostowie *per vices* to bring ane load of peattis to the gaird.

October 28th.—The counsell appoyntis the officers to goe through their severall quarteris of the toune to adverteis the inhabitantes to be readie with their best airmis to mister to morrow be nyne aclock at the touk of drum wnder the payne of fywe pundis each absent.

November 18th.—The petty customes of this brughe set in tack for tuo yeiris for 401 pund Scottis money yeirlie.

1690.

May 19th.—*Act anent Clerk Monro his productione of ane warrand anent Mr. Johne Stewart.* Compeired Androw Monro, sheriff clerk of Murray, and producit ane act of counsell ordering the magistrats of Elgin to delywer up to Mr. Johne Stewart, minister [and], the parischoneris of the Presbiterian persuasione within the said pariochin the keyis of the vestmost kirk of Elgin wherin the bischop preached and to possess them therof as they wilbe ansuerabill qlk order is daittit the fourteint of January last bypast wnder the signe and subscriptione of Gilbert Eliot, clerk to the Counsell, and the samyne being put to ane vote be the provest to Baillie Kyng and baillie Mackenzie they tuik it to adwyse the samyne being ane maitter of importance and ane affair that concernit the whole inhabitantis and the provest being instantlie going

South and so could not be present for ane tyme did instantlie consent to giwing of the keyis to Mr. Johne Stewart.

June 16th.—Agreement betuixt the Lairds of Grant, Fowlis, Brodie, Grainge and Cullodin in behalf of Maister Johne Stewart, minister to the Presbyterian congregatione at Elgin, and William Kyng, baillie of Elgin, in behalf of the magistrats and counsell of said burgh whereas the magistrats were ordained by order of privie counsell to delywer the keyis of the westmost church of Elgin to the said Mr. Johne Stewart now in friendlie manner the magistrats agree to delywer the keyis of the eastmost church in Elgin to Mr. Johne Stewart in place of the westmost. Both parties agree.

The Lords Commissioners of ther Majesties theasurie have grantit a commissione to George Leslie of Burdsbank and William Dunbar, second son to William Dunbar of Durne, for collecting the excyse of the schyres of Bamff, Elgin and Nairne and burghis within the samyne from 1st November last. The collectors are content to taik measures to uplift the excyse for payment of £530 quarterlie.

Act anent the cornis and doggis. The counsell appoynts ane bank to be beat dischairging the keipping of bitches or cur dogges within toune certifieing the contraveiners that they salbe lyabill for fywe pundis of failzie besydes the damnadge and that no inhabitant presume to break yairdis, cut or destroy the peas or beanis belonging to the tounes men in haugh or hard land wnder the penalties conteinit in the tounes statutes maid theranent.

August 11th.—*Act anent straingers and anent the teynding.* The counsell appoyntit the drum to goe through the toune to inhibite all the inhabitantis that they taik no cornis from the croftis, taillis, yairdis and utheris lyabill in paying the teynd scheaff till first the samyne be teyndit and to aquaynt the tennentis and possessoris of Myltoune and Innerlochtie that they teynd nor taik none of their cornis from the grund till the samyne be teyndit. The Counsell appoyntit baillie Kyng, baillie Mackenzie, the theasaurer and Robert Andersone to speak with Mr. Alexander Tod anent the wiccaradge and teynd of the taillis. The counsell appoyntis that the drum goe through the toune anent all strangeris that are resseat be inhabitantis that they remow instantlie wnder the payne of putting them furth of the toune with the martiall and the resetters to be fynit conforme to the statutis.

Act anent casting of grein grund. The counsell appoyntit that intimatione be maid anent casting of the grein grund about the aughten pairtis and uther plaices of the tounes landis that none doe the samyne but the heritoris.

August 25th.—*Act anent the teynding of the croftis.* The Counsell appoyntit all the memberis of counsell to wayt upon the teynding of the croftis and wtheris Thuirsday nixt in the morning and Johne Geddes, Boiggis, and James Russell, merchand, to sie the hors fillid and Parker and Androw Ritchie to big and the rest of the officeris to faw (?).

Act anent the buying of lyme and tymber. The counsell apoyntit the drum to goe through the toune to inhibite all the inhabitantis that none presume to buy lyme or timber of anie sort to sell agayne except by their awne wsis wnder the payne of fyw pundis toties quoties and sicklyk that none ludge or resset straingeris wnaquaynted the gaird wnder the paine of what lois ane inhabitant may sustayne and sicklyk to intimat anent the teynding.

September 8th.—*Act anent assistant quartering.* The counsell ordaynid all that hes no sojors quarterid on them to giw assistant quarteiris to those that hes thame quarterid on them according as they salbe stentid.

October 6th.—The counsell appoynts the toune captanes to be presentlie advertised to convein ther severall companies v^t^. ther armes to convein at the fish mercat this efternoon at one acloak to keep the solemnitie for his Majesties King William his success in his affairs in Ireland and for his hapie and safe return to England.

October 20th.—*Act anent advancing ten dayis manteinance to the sojors in Collonell Cuningham's regiment.* The counsell wnanimouslie condiscends that the inhabitantis advance ten dayis quarter in money at 4s. per diem or quarter in dyat provyding the collonell ease the toune of all his regiment except thrie hundreth and fyftie. The provest receawit ane bill drawin be James Oswald, generall receawer upon the magistrats of Elgin, for payment to my Lord Strathnaver of 504 lib. Scottis money out of the supplye due by the toune at Mertimes, 1688, and Witsounday, 1689, daittit the threteint of September, 1689. Item ane uther bill drawin be James Oswald and James Dunlop, generall receawers wpon the magistrats of Elgin, daittit the 27 of September, 1690, for payment to Capitane Sixt Dalin for the use of Collonell

Cunninghame's regiment of 876 lib. indorsed payabill to Moses Huetsone, quartermaister of the said regiment, with the said Moses his resseat of the money on the back therof for the tounes cess due at Lambes, 1690, and preceiding.

November 19th.—William Douglas appoyntit to collect the fyw monethis cess at Mertimes, 1690.

The provest hes gottin one of the keys of the cadgett and Baillie Russell hes gottin the other.

1691.

March 30th.—David Bower, gardner, is receawed and admitted burges and freman of this burgh for payment of fiftie merks Scots money.

May 18th.—*Arrestment anent Pitter Chalmer in Edinburgh.* The counsell appoyntit to arrest all the money restand be Alexander Fordyce, William Paull, James Innes, Johne Grant, merchants, to Pitter Chalmer in Edinburgh for his breaking boulk and selling goods to them without ane offer.

The toun's officers and drummers hawe gottin licence to cast one man's casting of peats ilk ane of them for one day this yeir in the comon moiss of Glasgrein upon the former provision that they spoill not the grein grund and levell what they cast. The Counsell grant libertie to Mr. Allane Grant, collector, and his spous to cast peats in the Moss of Mostowie for ther aune wse allanerlie eight men's casting for one day this present yeir, 1691.

June 1st.—The counsell appoyntit Alexander Russell, baillie, to collect the hearth money.

William Grant, officer in Mostowie. The Counsell appoyntit William Grant in Mostowie to owersie the moiss as ane officer for this insuing yeir who is to haue fourtie schillingis for his paines.

August 3rd.—*Anent teynding the croftis.* The counsell ordanit the drum to goe through the toune the morrow at ten aclock to inhibite all the inhabitants not to remowe there cornis from the landis of the croftis, yairdis, taillis and utheris lyabill in payment of the teynd scheaff till the samyne be teyndit.

August 29th.—*Anent visitors of the borrowis.* The counsell appoynts that the magistrates and Deangyld and theasaurer and clerk to meit this

day at tuo aclock anent giwing ane accompt to the visitoris of the borrowis anent ther comone good.

September 28th.—The Magistrats and Counsell appoyntit the sewint of October next to be the head Court.

[17 stenters appointed. These all appear at the Head Court except three, who are fined £5 Sc. each.]

Rates of the Pettie Customes of the brugh of Elgin: Ilk elne plaiding 1d., ilk barked hyde 1s., ilk hors 2s., ilk ox and cow 1s. 4d., ilk scheep 4d., ilk kairtfull of fisch 1s. ilk creilfull 4d., ilk steane of wald 4d., ilk cart 1s. 4d., ilk sled 1s., ilk pair of schoes 2d., ilk tub 2d. etc.

November 16th.—*Stenters of the assistant quarteris.* The counsell appoyntit Baillie Russell to stent the assistant quarteris to those who have the sojors upon thame at sex schillingis per week for ilk tuo sojors beginning this day and they ar ordanit to spair the poor and ar to stent the samyne this efternoone.

1692.

February 15th.—Baillie Russell and the thesaurer appoynted to call for and compt with John Taylor, mr. of the musick schooll, anent his intromissions with the penalties receaved be him from fornicators since his last compting.

Restand to Alexander Dunbar for wyne drunk in his hous when the magistrats did treate the Earle of Dumfermling, wiscount of Dundie and Lord Doune extending to 44 lib. 4d., spent in his hous with my Lord Duffus, Major Pattoune and utheris on the kingis birthday in October, 1691, 12 lib. 1s. 4d. Summa [together with payments for wood to the magistrates' seat, see "The Church," 15th February, 1692] 204 lib. 1s. 8d. For payment of the which acompt baillie Dunbar hes gottin power to uplift the teynd silver and teynd bollis wnderwrittin viz. 35 pundis 6s. 8d. from Sir Alexander Innes of Coxstoune for the teynd tack dewatie of his landis of Thornhill, Clackmarres and Easter Whytvray yeirlie the cropis and yeiris 1690 and 1691 inde 70 lib. 13s. 4d., 12 bollis teynd wictuall dew be Walter Innes of Blackhills for the teyndis of his landis of Blackhillis crop 1691 at 4 li. 3s. 4d. per boll inde 50 lib., 8 bollis teynd wictuall dew be Robert Gibsoune of Linkvoodis for the teyndis of his landis of Hervieshaughe crope 1691 at 4 lib. 3s. 4d. with 12 lib. money

The Prospect of the Town of Elgin.

for the few dewatie of Hervishaugh yeirlie the cropis and yeiris 1690 and 1691 inde 57 lib. 6s. 8d. Item dew be the said Alexander Dunbar fyw fir. whyt for the teynd of the laird of Muirtoune's taillis at 5 lib. per boll inde 6 lib. 5s.

March 28th.—Baillie Innes hes the key of the iron door of the Inner tolbooth to keep for this week. The Counsell appoynts ane bank to be beatt throw the toune be tuk of drum this day for rouping the viccarage of the parochin of Elgin anno 1692.

May 23rd.—The magistrats and counsell appoyntit Saturday nixt for ane generall randivous at tuo aclock in the efternoone conforme to the kingis proclamatione and for that effect ane bank to be beat through the toune this day and all fencibill persounes betuixt sextie and sextein to be present and in readines with there best airmis, ilk absent under the paine of fywe pundis Scottis money and the meiting to be in Chandrie churchyaird.

June 27th.—The keys of the iron door of the inner tolboith whair Mr. John Dempster is prisoner at Kinauld's instance is delyvered for this week to the keeping of Baillie Innes.

July 25th.—The counsell appoynts ane bank to be beat dischargeing all the inhabitants of this burgh fra recepting in their houses, lofts or chops any plaiding vntill first the custome therof be payed and that the same shall be presented to the publict mercat and not sold in privat houses under the hazard of the loss of their freedom and to be furder punished at the discretion of the magistrats.

Gawin Watson hes the keyes of the iron yeat of the inner tolbooth for this week.

August 29th.—*Anent John Rose.* The provest and baillies, John Donaldson and thesaurer to meit this efternoon at John Rose, mason, to agrie anent the repairation of the bridge of Lossie.

October 24th.—It is enacted that who ewer keeps the keys of the iron door of the inner tolboith shall be comptable for any who shall escap furth of the toolboith dureing the tym they keep the keys.

1693.

February 13th.—The magistrats and counsell hawe granted libertie and licence to George Garioch, litster, to set up ane signe to the foir-

street one foot without the channell opposit to the decest Baillie Ogilvie his rood of land and that for the space of ane year allenerlie provyding he obtain his londladys consent therto.

March 6th.—The clerk is appoynted to draw out and extend Alexander Chalmer his precept of clare constat as air of provision to the deceist James Chalmer of Pettinseir for his father of his second mariage of the lands of Easter Pettinseir for which he hes instantlie payed 20 merks to William Rose, thesaurer, wherof ten merks allowed for his few dutie anno 1692 and the other ten merks for his entrie.

June 5th.—George Chalmer of Pettinseir his entrie to the lands of Easter Pettinseir componed to 50 merks Sc.

June 19th.—Margaret Russell hes payed to William Rose, thesaurer, 20 punds Scots for ane yeir's duty of the minister's mans possest be her.

Anent casting the burne of Tayock. It is appoynted that the current of the stryp of Tayock be casten and red from Lossie vpward to the peat moisswards and the whole inhabitants be advertised each famelie to furnish ane man and spad and to enter to the work to-morrow and for that effect the south east quarter to be advertised to meit to-morrow be nyn acloak.

Anent casting peats in the Cattails. Forsomuch as severall of the inhabitants of this burgh about the west port and elswhair hawe hitherto presumed without licence from the magistrats to cast and sell peats and turffs in that peice moiss belonging to the toune besouth the water of Tayock adjacent to the lands of Mayn Therfor the magistrats and counsell ordains that non herefter presum to cast any peats or turffs in the said moiss without speciall licence had and obtaint from the magistrats and counsell and als it is appoynted that ther be ane part and portion of the said moiss marked and potted for the use of the bedmen and all and whatsomewer person or persons discharged fra casting therin except the bedmen.

Oath of Alledgeance and Assurance:—Wee doe sincerlie promeis and swear that wee will be faithfull and bear true alledgeance to ther majesties King William and Queen Marie So help us God and sicklyk doe in the sinceritie of our hearts assert acknowledge and declare that ther majesties King William and Queen Marie are the only lawfull vndoubted soveranes of this realm als weill *de jure* that is of right King and Queen as *de facto* that is in the possession and exercise of the

government and therfor wee doe sincerlie and faithfullie promeis and engadge that wee will with hearts and hands lyfs and goods mantain and defend ther majesties tytle and government against the late King James and his adherents and all other enemies who either by open or secret attempts shall disturb or disquiet ther majesties in the possession and exercise thereof. (Signed) Thomas Allane, decone to the hamermen, John Purs, deacn to the ueivers, Alex. Mar, diken to the wrights, J. Purs, yor., lait deackn to the ueavers.

June 26th.—Thomas Watson hes payed William Rose, thesaurer, the viccarage teynds cropt 1692 extending to 234 punds Scots.

July 24th.—The magistrats and counsell appoynts ane exact list to be taken of the heall inhabitants of this burgh and for that effect that ilk baillie goe alongst his ovin quarter and make ane exact roll and to report the next counsell day.

September 25th.—The deacon convener and others take the oath.

October 30th.—Thomas Watson is granted leave to erect a stair on the north syd of his kiln at the schooll Wynd on payment yeirlie to the burgh of 2s. Sc.

1694.

August 13th.—The counsell appoints the clerk to draw ane proclamatione to be intimat throw this burgh anent the stranger beggars that are in this burgh conforme to the acts of parliament and last proclamatione.

September 24th.—All the old counsellors continoved and David Brodie and Thomas Donaldsone, merchants, added. Alexander Muir, wright, presented a petition from the trades of this burgh craving the counsell might name of these thrie persons Alexander Muir, John Burges, gunsmith, and William Edward, tayleor, to be deacon conveener. The Counsell refuse to accept thereof becaus the deacons and givers in of the samen have not qualified themselves conforme to law and so are not capable to make electiones and therfore they have elected Alexander Muir a counsellor as a persone who is fitt for that effect and not as Deacon Conveener.

The clerks appointed to draw and intimat by tuck of drum to the inhabitants that they meet the magistrats Thursday nixt the 27th instant at the Tolbooth in maner folloving viz. the south east and south west

quarters be eight acloak in the forenoon and the north east and north west quarters be tuo in the afternoon to give up subscryvit lists of their names, degrees and walue of their estates in payment of the poll mony and of their families conforme to the act of parliament with certificatione.

Act for the counsellors their frequent keeping the Counsell. The counsell unanimously ordains statuts and enacts that each counsellor keep and meet in the counsell upon every counsell day and in all other meetings to be appoynted be the magistratts preceesly under the failyie of 20s. Scots money which the counsell hereby imposes as a fyne upon ilk absent who shall not meit in maner forsaid.

November 19th.—*Establishing a guard.* The counsell appoints a guard of sixteen men and a captain to be keeped each night and impovers each captain to fyne the absents and the captains to be named by the baillies and the samen to begin at the south east quarter of the toun and go round in the ordinar maner.

1695.

February 7th.—The peice ground lyand within the east port on the north syde therof fewed by the magistrats to John Proctor, weaver in Whytwrae.

Act anent the Trades their mortcloath. Anent the complant given in against the Deacon Conveener and the Trades for making ane mortcloath and lending and giveing the same to the inhabitants to the great prejudice of the comunity by taking avay the casualties of the tounes mortcloath which being considered the counsell statuts and appoints that the said mortcloath be not given to any but such as are objects of charity.

Anent the baillies their keeping courts. The counsell appoints one or tuo of the baillies to keep courts every week and the tuo eldest baillies for the moneth of February and the other tuo for the moneth of Marche and so moneth about in tyme coming.

George Garioch, burges. George Garioch, litster, was admitted burges freeman and gild brother of this burgh and that at the speciall desyre and request of Sir James Ogilvie his majesties solicitor, the toun's advocat.

February 25th.—The Counsell gave commissione to the provest to caus bring home ane new welvet mortcloath.

The gift of the vaiceant stipend for 1694 is this day delyvered to Clerk Andersone.

The Counsel hes admitted William Geddes, indwaller, to be ane graveman during their pleasure.

June 25th.—[Dyksyde's Mortification here recorded. The deed is of date 23rd May, 1695, whereby John Innes of Dyksyde mortifies 600 merks to the Magistrates of Elgin for the poor of Elgin. The 600 merks to be wared out upon land. Also 200 merks to the poor of St. Andrews, the interest to be paid by the Magistrates of Elgin to the minister and kirk session of St. Andrews. Also 200 merks to the poor of Birnie.]

August 5th. — The new mortcloath given to William Dowglass, thesaurer, which coast 227 lib. 12s. 6d. and the thesaurer is ordained to pay the samen to William Gordon of Fascan who brought the samen from Holland.

The keys of the prisons where Parkbeg and Androw Shand are prisoners delyvered to Baillie Donaldsone.

August 12th.—The post office of horses set to William Mitchell, hyrer, till Whitsonday next, 1696, for payment of 12 punds Scots.

£3529 received by the town for ane composition for the accompts restand be the forces to the inhabitants. Sir George Mackenzie's relict received £510 Sc. by a decreet from the magistrates. The provost is paid for building and erecting the Gramar School and for treating the officers of the King's forces in passing and repassing thorow this burgh.

October 28th.—Each quarter to be called out for one day for casting the run of the water of Lossy, ilk persone under the failzie of 18s. Sc.

The pryces of the mortclouths. The best mortcloathe when used within the toun 4 punds Scots, the second 40s. Sc. the children's mortcloath 10s. Sc. *Pryces for the bells.* For the ringing the great bells at funeralls 20s. Sc. for burgesses and 40s. Sc. for strangers. *Pryces for the bellmen.* The counsell appoints the pryces of the bellmen's fies and hyre for ringing the great and small bells viz. 6s. Sc. for ringing the great bells to each buriall als oft as the parties calls for them to be rung and not exceeding the said 6s. for all these tymes and 4s. Sc. for each tyme he goes thorow the toune with the litle bell and to ring the litle bell for the poor gratis. *Pryces for the gravemakers.* 14s. Sc. for ilk grave they make to men or women and 7s. Sc. for each grave they make to children and to cast the poor's graves gratis.

November 18th.—No church monthly pensioner hereafter to beg through the streets.

December 2nd.—The pettie customes set for a year for payment of 406 punds.

December 13th.—The laird of Grant has discharged the toun of the kirk timber extending to 1500 lib. Scots and the toun has discharged him of 440 pund as 22 years' few duety of the lands of Kirdells and of 15 years feu duetie of the Oldmills Croft. The toune hes discharged him of 629 lib. 13s. 4d. as his proportion of the stent for building the church and of the tynd duety of the lands of Oldmills and Loganshaugh being 11 bolls of bear yearly for 5 years, 1690-94, at 5 lib. the boll to 275 lib. Scots.

1696.

February 17th.—Agreement to be made with Donald Ogilvie, masone, for repairing that part of the bridge of Lossie which is now fallen and for redding and taking the stones out of the water.

The counsell appoints the lands of Messindew the viccarage tynds, 1696, the grass of the Cattails and Goosecrook to be publictly rouped on Saterday the last of February.

March 2nd.—Ane waird in the Cattaills set for sex punds Scots.

May 25th.—William Cuming of Achrey dispones to the toun the tuo roods of land and back yeards which pertained to wmq^{ll}. Provost Cuming his father lyand in the south syde of the brugh opposite to the croce for payment of 2000 merks Scots money.

June 15th.—The counsell appoints William Brodie to be secured within the inner tolbooth.

June 22nd.—The counsell setts the grass of the Gallowhill to Baillie Donaldsone for this year gratis and for half a merk in the year for 3 years therafter.

June 29th.—The counsell appoints the magistrats to send letters to the brughs of Tayn, Dornoch and Dingwall anent the abuses our merchants and traidsmen meet with in their mercats.

July 27th.—Gift by the lords of Treasury to the Magistrates of the vacant stipend of Elgin crop 1695.

August 10th.—The heall counsell haive vnanimouslie condiscended that the magistrates shall not dispense with the judgeing of Peter Cantley, chapman, in favors of the Shereff but that the magistrats proceid and mantain the right and priviledge of this burgh.

William Paull, merchant, presents a very abject petition to the Magistrates and Toun Counsell for his folly in protesting at the last Michaelmas election against the toun counsell that they might not continue William King of Newmill to be provest and in most unadwysedly raising counsell letters against Provost King and Alexander Fordyce one of the counsell of the burgh. He now humbly submits himself to any punishment the Counsell may think fit.

1697.

May 10th.—The Counsell, Provost King and Alexander Fordyce having removed, for the fault and indignity done be him to the Magistrates and Town Council and particularly to Provost King and Alexander Fordyce, declares William Paull to have lost his freedom as a burges of this burgh and ordainis his burges bill to be publicly cancelled and destroyed. Sicklyke they fine him 500 merks Scots and ordains him to be carried to the tolbuith of the burgh and ther keept close prisoner untill he pay the samen also to lose his few of ane aughten part of the Greischop lands and to stay in prison after payment of his fyne during the magistrats pleasure.

May 17th.—*Guards appointed.* The counsel appoints that heirafter there be ane nightlie guard consisting of tuelve men and a captain keeped within this toun frae nyne a cloak at night till four a cloak in the morning dureing the magistrats pleasure and that each persone who bees warned to keep guard and shall absent himself therefrae shall be lyable in fourtie shilling Scots money of fyne toties quoties for which the captain is impowered to poynd the deficients.

William Paull his sentence. The magistrats and counsell haveing taken to consideratione the address made to them by my Lord Duffus and Sir James Calder of Muirtoune in name of William Paull, merchant in Elgine, anent the mitigatione of the sentence past against him the last Counsell day they appoint and ordained the said William Paull to be

taken furth of prisone to the mercat croce twixt allevin and twelve a cloak this forenoone and there to make publict acknowledgment of his offence done to the provest, baillies and counsell and his burges bill to be rent and torne and therafter to be returned to prisone ther to stay untill he grant and subscryve ane band to Thomas Donaldsone, thesaurer, for fyve hundred merks for his fyne payable at the magistrats discretione according to his future deportment and behaviour and dispences with the rest of the forsaid sentence.

June 7th.—*Register of the dead.* The counsell hes appointed Mr. William Cuming, master of the Musick Schooll, to keep a register of the dead within this brugh for which they ordaine him to get tuo shilling Scots for each persone and appoints the gravemen to open no graves untill the samen be payed excepting allwayes poor people and tounes publict servants.

July 12th.—The west merches of this burgh and moiss and greens of Mostowie to be visited Saterday next.

Margaret Dunbar fined. Upon complaint made to the Magistrats and Counsell be John Winster, merchant in Elgin, against Margaret Dunbar, relict of vmq^{ll}. Robert Falconer for persewing and his vyfe befor the Shereff of Moray and not the magistrats wherby she hes contraveined the statuts of this burgh made theranent the Magistrats and Counsell finds her guiltie of transgressing of the said statut and amerciats her in ane hundred punds Scots.

Shereff to be charged. The magistrats and counsell ordains Thomas Donaldsone, thesaurer, to imploy John Chalmer, messenger, to goe to Forres and chairge the Shereffe principall of Elgin and Forres be vertue of letters of horning raised at their instance against him for incroaching on their freedome and priviledges and to get the messenger's executions on the horning with all possible diligence.

[Papers left at Edinburgh: the toun's great charter 1633, ratification 1661, and the toun's old decreet against the shereff 1540.]

[The clerk is appointed to draw charters to Alexander Sutherland, second son to Alexander Sutherland of Kinminitie and Barbara Guthrie, his spouse, of the town and arable lands of Mostowie, half of Croft Croy and half of the houses and tofts in Old Mills.]

October 11th.—The counsell having considered the proces raised before the lords of his Majesties privie counsell at the instance of William

Paull, merchant in Elgin, against William King, provest, James Stewart and Robert Andersone, baillies, etc., resolve to defend the action at the expense of the burgh.

1698.

April 18th.—*A baillie to meet with the kirk session.* The counsell hes appointed that in tyme coming the baillies sit and meet with the kirk sessione, ilk baillie monethlie, for interponing there authority to the acts of the kirk sessione as they shall sie convenient and appoints Baillie Innes to begin and so each baillie to keep their turn.

1699.

August 21st.—The counsell agree to enter Sir Alexander Innes of Coxtoune by a *de novo damus* to the lands of Wester Pettenseir and to modifie his compositione and bygone few duties to his own pleasure considering the freindship which the said Sir Alexander Innes upon all occationes testifies towards this burgh.

September 25th.—The counsell appoints the Michaellmas head court to be holdin upon Wednesday the fourth of October nixt.

The counsell ordains notorious soroners, wagabonds or strangers to be instantly banished the burgh and territories thereof in terms of the acts of his Majesties privie councell and proclamatione anent mantaining and provyding for the poor and returning home wagabonds, soroners and straingers to their respective paroches and countryes.

1700.

May 20th.—Robert Anderson and George Chalmer elected conjunct toun clerks of this burgh *ad vitam aut culpam*, considering the great trouble, perrill, hazard, toyll and fatigue the said Robert Andersone had in provyding for billeting and quartering his Majesty's forces in their locall and transient quarters in the burgh and considering the said George Chalmer's father, grandfather and grand uncle servit this burgh as toune clerke and considering Robert Anderson and George Chalmer have served this burgh faithfully and honestly.

September 18th.—*Articles of Agreement betwixt the Toun and Trades:* (1) That the old deaconrie setled betuixt the Toun Councill and the crafts, 1657, and all other agreements be restored to them, the weaver craft being excluded because they have made no present applicatione. (2) Ilk craft to choose their own deacon instead of ilk craft giving in a list of three out of which the Magistrates and Councill choose one to be deacon. (3) A deacon not to be re-elected except with the Magistrates' consent. (4) The Magistrates to have the power to oversee the election of deacons. (5) The counsell as before to choose a deacon convener out of a list of three to be given in, said deacon convener to sit as one of the members of Toun Councill. (6) Out of the number of the remaining deacons chosen yearly the Magistrates and Councill are to choose other tuo, who are also to sit and vote with the conveiner in the Toun Council. (7) That the Magistrates and Councill have full freedom once in the tuo years to receave any stranger to the freedome of this burgh upon payment making of such money to toun and craft as they shall modifie, he being of a trade not as yet practised within this place or one who can work eather in mettalls or others to a perfectione not as yet attained to in this place. (8) In respect there are severall factious and seditious tradesmen amongst the respective crafts who have made it there study to set the Toun Council gildrie and crafts of this burgh at varriance it is agreed upon both by the Toun Councill and crafts that the incorporationes of the crafts shall exclude from there publict offices and meetings such as the Magistrates and Town Councill shall name and make appear to have been such, the number named not being above ten, the trades referred to being the hammermen, glovers, shoemakers, wrights and tayleors.

September 23rd.—James, Lord Duffus, unanimously elected a member of the town councill and afterwards provost. He takes the oath of allegiance and subscribes the same with the Assurance and band of Association.

October 8th.—The Councill appoints Saterday next the 12th inst. to meet and consider the disturbances committed be John Sutor, late Deacon to the Carpenters, James Pedder, late Deacon to the shoemakers, and Robert Blensher, late Deacon to the tayleors, James Roy, wright, and Alexander Forbes, smith, in the church the last Lord's day, and appoints them to be cited to compeir for the samen.

[No minute recorded 12th October, and no minutes between 16th October, 1700, and 10th March, 1701, the minute book being probably at Edinburgh.]

October 16th.—The Council engage to relieve the defenders called in the Council proces at the instance of Baillie Innes before the Lords of his Majesty's Privie Councill against William King of Newmiln, late Provost, and others for several pretended malversations. The Council grant warrand to the clerk to carry to Edinburgh the Court and Council books to be produced before His Majesty's privie Councill.

1701.

March 10th.—The Baillies presented ane act of the privie Councill freeing this burgh from receaveing prisoners for civill debts untill Whitsonday, 1703 years, and lykewayes granting warrand to put shekles upon Linkwoods in the tyme of his furiosity for preventing his escape.

Toun Guards. In respect the toun's guards are ill keeped therefore the councill appoints the baillies to reforme the samen.

September 22nd.—Petition from the Weavers showing that they were wrongly induced to abet the pursuers in the action before the Privy Council against the Provost and others. They now see their error, plead for pardon and ask to be received in favour and to share the benefit of the late agreement with the other Crafts.

October 20th.—The Comitie for regulating the guard rolls gave in the samen consisting of sextein guards with twenty men, a captain on each guard which are read and approven and appointed to be given out to the respective captains who are ordained to keep guards conforme to their severall turns from eight acloak at night to sex acloake in the morning and the thesaurer is appointed to furnish each guard with four candle and four duzon of peats every night and to the effect the saids peats may be gottin in readie the Councell appoints two of the Baillies to goe out with their first conveniencie to Mosstowie and hold court and decern the haill inhabitants thereof who live be the town's mosses to give a load of peats for that use and thereafter to appoint the town's hyrers to lead home the samen and statuts and enacts that all other peats that are brought to the publict mercat and bought be the inhabitants of this

burgh shall pay a peat out of the load in time coming for furnishing the saids guards in peats and the magistrats to appoint the town officers or any other persone they please to uplift the samen and ilk absent from the guard the captain is authorized to fine them in sextein shilling Scots for the night's absence and the councell leavs it to the discretion of the captain to receave a sufficient man for such as cannot attend the guards themselves.

John Gilzean's burgess bill as a militia man and for goeing to Argil's host renewed to him for payment of a summe of money which the Councell modified to ten merks Scots and appoints the thesaurer to discharge the samen.

October 27th.—*Order for helping some roads.* The Councill appoints ilk inhabitant who has horse to give a yoken and draughts of them to help the back passage upon the south syde of the burgh and the roads that leads to Oldmilns below the Marywell brae under the penaltie of sex shilling Scots for ilk one who shall faill to send their horses upon advertisment be the town's officers.

Act in favours of John Weir. Upon a petition from John Weir, saidler, craveing liberty to sett up and work at the saidler trade within this burgh the Councill haveing considered the samen and that this town and countrie are ill served of sadlers and that the saidler trade are none of the saids crafts comprehended in the agreement with the town therefore they allow the said John Weir to sett up at his trade for one year that within that tyme they may understand his qualifications.

November 4th.—Tack of the pettie customs for three years to William Chalmer for 500 lib. yearly.

1702.

February 4th.—*Order for bringing again the march stone of Main.* It being represented that Bailly John Donaldsone has by some mistake removed one of the march stones betwixt the toun and the lands of Mayn the Councell appoints Baillie Douglass to intimat to him to bring the said stone and sett it in the place where it formerly stood under the penalty of being pursued as a remover of land marks.

February 20th.—*Liberty to Mr. William Sutherland for building a house at Lossiemouth.* The Councill upon applicatione made be Mr. William Sutherland third lawfull sone to my lord Duffus anent the liberty of building a hous at Lossiemouth unanimously allowes and grants warrand to the said Mr. William Sutherland to build ane hous or other conveniencies at Lossiemouth upon any peice of ground except that peice upon which the toun were to build there hous and for building therof they allove him 20 ells of ground square or more if he desyrs reserving the modificatione of what few duety he shall pay for the samen to the Councill and allowes the said Mr. William Sutherland to caus win stons in the rocks and quarries at Lossiemouth for building the said hous.

Appointment for fewing the Cattaills. The Councill considering that the grass of the cattaills and houses belonging thereto are in the toun's rentalls at 42 pund yearly is become very ineffectuall and that the toun thir many years cannot get the same effectually set nor the rent therof made good and that there is a warrand from the generall conventione of the borrowes for fewing therof and that there are offeirs made to few the greens at the rate of the said 42 punds therefore the Councill appoints the said grass of Cattaills to be fewed reserving alwayes the haill muirs lyand in the south and south west syds thereof as comonty after the form, maner and way of possession used in all tymes bypast and for that effect the said Councill appoints thrie publict roups upon thrie severall dayes to be made within the tolbooth of the said burgh.

April 21st.—Commission to James Baird, writer to the signet, to agree with the Managers of the Foreign Customs and Excyse anent what shall be found due to the toune for their share therof conform to the formula given in be the toun.

James Brodie, pirivick maker in Elgin, reseawed and admitted burges and frieman of this burgh and that gratis at the speciall desyre of James Brodie of that ilk and George Brodie of Askleisk.

June 11th.—A charter and few right of the Cattaills to be granted to David Brebmer, merchant, who has consigned 1150 merks therefor.

June 27th.—The Magistrats, Toune Counsell and deacons of craft take and subscribe the oath of alledgeance and assurance to Queen Ann. [One of the subscriptions is as follows:—"I B (at comand of James

Bannerman, deacon of the shoemakers and one of the toun counsell who cannot wreat himself)."]

August 27th.—*Order for writting to Durie anent Linkwoods.* The Counsell have vnanimouslie agreed that my Lo/ Duffus vreit ane letter to Sir Alexander Gibson of Durie anent the secureing the toun and inhabitants therof against any prejudice they may sustain be Robert Gibson of Linkwoods and upon granting therof the toune will be at the expenses of carieing him south to Edinburgh.

August 31st.—*Baillie Stewart's accounts as Commissioner to Parliament and Convention.* It is found that James Stewart, late baillie, vent from Elgin upon the eight day of June last to attend the session of parliament and convention and returned upon the second day of Agust instant extending to fiftie sex days at thrie punds per diem to 168 punds and that his horse hyr south and north extends to 20 punds qlk in all amoynts to 188 punds Scots.

1703.

January 4th.—*Order for Linkwood's releasment.* John Gordon of Leitchestoun and Peter Gordon, his eldest son, become sureties for Robert Gibson of Linkwoods his peaceable behaviour to all the inhabitants of this burgh. The Councill unanimouslie ordain the said Robert Gibson to be released out of their prison upon the said John and Patrick Gordons their granting a bond of cautionrie of Lawburrows to all the inhabitants of this burgh and the said Robert his paying what damnages he has done to the nether tolbooth and building the buttress by the sight of the magistrates but prejudice to the magistrates to pursue the said Robert Gibson for his burning the tolbooth.

The Councell condiscend that the augmentation of the few duty of Cattaills attour the old few duty be one pund Scotts and that the entry of any singular successor not a burges or inhabitant of this burgh be 200 merks and that the Councell have liberty to make a high way through that part of the said lands opposit to the school wynd of the breadth of 40 foot and that David Bremner and his heirs and successors be restricted from casting peats in any part of the said lands except in such stanks as shall be convenient for draining therof.

April 7th.—*Resignation of Mostowie in favours of Mr. William Sutherland and his Ladie.* James Anderson as procurator for James Lord Duffus resigns the town and lands of Mosstowie in the hands of the baillies of Elgin, superiors thereof for new infeftment of the same to William Sutherland, third son to said noble lord and Helen Duff, his spouse, daughter of William Duff of Dipple, conforme to a contract of marriage signed at Elgin and Inverness the 17th and 22nd October last. His entrie modified to 40 pund Scotts.

April 26th.—100 punds Sc. appointed to be paid to Master William Sutherland the toun's commissioner to the ensueing parliament for defraying his charges thereat.

Act for selling Provost Cuming's houses to Baillie Calder. The Councill has agreed to dispone to Thomas Calder, baillie, the borrow lands, tennements and yairds pertaining to umq^{ll}. George Cuming, provost of Elgin, and disponed to the town be William Cuming of Achry for 200 merks.

September 6th.—*James Russell, bellman.* The Councill constitutes and appoints James Russell, merchant in Elgin, to be their bellman and the said James Russell obliges him that he shall keep the toun's clock so right in her going as that she shall not go half an hour wrong backward or forward in twenty four hours time as als he obliges himself to ring the eight hours bell at night and four hours bell in the morning punctually and if he faill in either to lose his said office and be at the Councill's will as alse he dispences with all the oill and tallow which the toun were formerly in use to pay quarterly for upholding and keeping right the clock and bells which he shall now do on his own charges and also he dispences with and shall crave no yearlie salary from the town in consideration of which he shall have the sole right to the dues of the little bell with the casualities of the great bell besides what is payable to the treasurer and the Councill appoints the treasurer to give to the said James Russell two dollars for bussing the clock.

[At this period persons admitted as burgesses usually paid 50 marks.]

November 9th.—David Sutherland, glover, son to Thomas Sutherland, portioner of Keamb, admitted as the provost's burgess for this current year. [He takes the oath but makes no payment.]

November 15th.—The Council ratifies the agreement with Robert Innes of Mondoll as cautioner for Linkwoods in the lawborrows set by

Linkwoods to the heall inhabitants of this burgh wherby the magistrates cause the treasurer grant ane discharge to Mondoll for his cautionrie for Linkwoods and ane assignatione for his relief upon payment of 400 merks Sc. with 100 merks more to be paid be him and Coxtoune which 400 merks was payed to the massons for building the harbour at Lossiemouth.

Address in favours of Mr. Henderson. The Councill unanimously agreed to send ane address to the privie Councill in favours of Mr. James Hendersone, minister of the gospell, anent the process raised against him before the privie Councell at the instance of the agent for the kirk and her Majesties advocat.

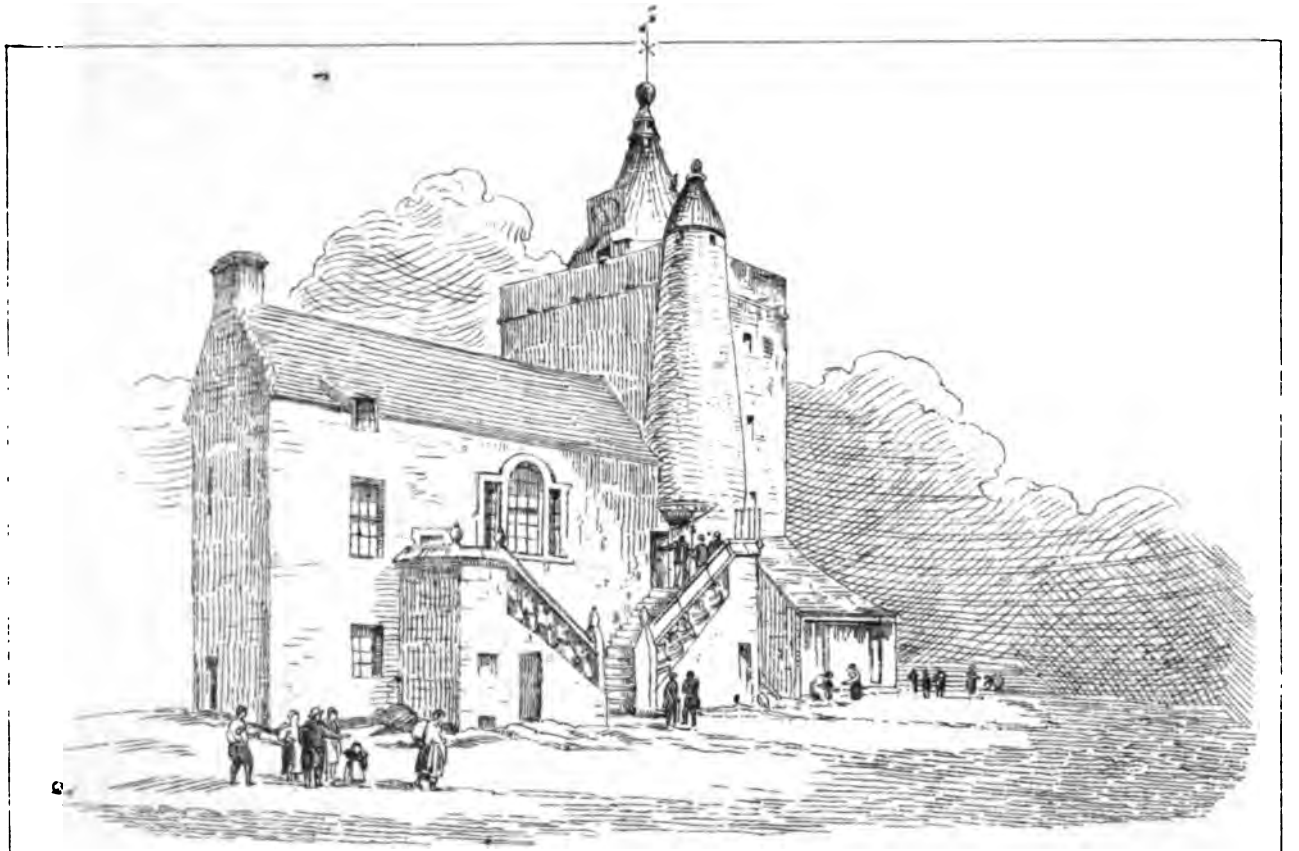
1704.

June 12th.—The Councill enacts and ordaines that the officers in tyme coming carrie their halberts when they come to the street and when they have occasione to goe in to any house that they leave their saids halberts at the closs head so that they may be the easier found when the magistrats or any of the burgesses or inhabitants have anie service for them as also the officers are ordained to wear their swords on mercat days.

November 6th.—The Councill grant warrand to Thomas Hosack to win in three bolls sowing of the moors belonging to the town lying besouth Mostowie he to pay nothing therefor for the first seven years.

George Junken, latelie servitor to Lord Duffus, created burges and gild brother as the provost's burges for this year.

December 21st.—The Council fine James Gordon, junior, merchant in Elgin, 100 punds Scots for contemning and defaming the magistrates and magistracy of this burgh in as far as the said James Gordon being one night in the month of March last in company did say that the magistrats of this burgh were a parcell of beasts for giving so large concessions to the trades therof as they had by the agreement twixt the toun and them.



Elgin Jail

1705.

February 22nd.—The Council resolve to submit to arbitration the Exchequer proces depending at the instance of William Paull, James Gordon, sen^r. and jun^r., William Mitchell and Charles Gordon, merchants, in this burgh against the Magistrats and Treasurer.

April 7th.—The Council considering a tumult arose in town upon the 4th inst. occasioned by a crowd of apprentices meeting in a seditious manner and assaulting of James Davidson, sadler, ordain that apprentices taking part in rabbles, mobs or tumults shall be banished the burgh.

July 16th.—The tounes marches from the lands of Mayne and Aikenhead, now pertaining to Thomas Brodie of Pittgeavenie, and the lands formerlie pertaining to Robert Gibsone of Linkwoods and now to Sir Alexander Innes of Coxtoune to be visited the morrow.

September 12th.—The Council give warrand for a submission tuixt the Council and some merchants and inhabitants (William Paull and others). There is presently a Committee of the Royal Borrows sitting in this town in order to accommodate the differences of the town.

September 13th.—Submission and decreet arbitrall betuixt the Council of Elgin and inhabitants therof. Differences have existed for eight or ten years as the same persons were always kept in the Council, &c.

Set of the Burgh of Elgin made by a Committee of the Burrows:—That the number of the Town Council of Elgin shall consist of seventeen councellors including the Deacon Conveiner for the time and two other deacons of trades which two Deacons are to be chosen by the Councill conform to the trades their contract with the gildrie: Item that Munday imediatly preceeding Michaelmas yearlie be the day of the election of the new Council for the ensuing year: Item that Tuesday therafter imediatly preceeding Michaelmas as said is be the day of the election of the Magistrats and other office bearers of the said burgh: Item that there shall be putt off yearly of the old Councill three of the gildrie and two of the trades and in their place as many elected of the same quality: Item that out of the forsaid number of the Councill ther shall be chosen ane provest, four baillies, Dean of gild and treasurer and other office bearers, which provost shall not continue in office of provostry above

three years at once but prejudice always to change him yearlie as the Councell shall think fitt and the saids baillies, dean of gild, treasurer and other office bearers shall not continue in their said offices above two years at once but prejudice to change them yeirlie as said is: Item that the provost, baillies, dean of gild and treasurer shall *ex officiis* be continued on the Councill for the nixt year after they are putt off their respective offices: Item that the old Councill yearly choise the new Councill and that both old and new Councils yearly choise the Magistrats and other office bearers: Item that no person be capable to be elected a Magistrat, office bearer or councillor within the said burgh except residenters and burgesses within the same actuall traders and trafficquing merchants bearing scot and lott and all portable charges with neighbours therin . . . [assessors to the dean of guild and stent masters to be appointed]: Item that no stent be imposed on the inhabitants of the burgh except the publick cess due by law without consent of ane head Court . . . [A Head Court to be held yearly.]

November 26th.—Bailie Brodie has the keys of the prison where Linkwood is.

December 17th.—The Councill takeing to their consideratione that their is one of the keyes of the tounes cadzet amissing therfore the Councill ordaines the cadzet to be brok open and the heall papers and writts which are lyeing therein to be taken out and putt in ane chest belonging to Baillie Russell which is ordered to lye in his owne custodie and the key thereafter to be given and keept by the provost till the lock of the old cadzet be helped and the baillies and such other of the councill as pleases to attend is to go about this the morrow afternoon at three accloak.

The Councill takeing to consideratione that in former tymes, at least these severall years bygon their was no custom exacted for malt brought in and sold in the toune therfore the Councill declared that they will take to their consideratione next Councill day the same.

1706.

January 7th.—There being an additional impositione of £18 Sc. monethly layd on upon this burgh by the late Conventione of burrows

therfore 3s. 4d. Sc. to be exacted for ilk boll of country malt brought in and sold within this burgh to the brewers and retaillers excepting private brewers and retaillers.

William Sanders, phiscall, lyes incarcerat within the tolbooth of Forres for a debt. He craves the benefit of the Act of Parliament anent alimenting poor prisoners. Robert Chalmers is appointed phiscall.

January 21st.—The Councill does herby ordain that the great bell be rung every night at eight aclock exactly and the drum to begin and beat at nine aclock every night precisely and the clock to be wind up at tuelwe aclock each day as also the great bell to be rung every morning at fyve aclock exactly and the drum to begin and beat at four aclock exactly and the bellman and drummer are ordered to observe this act precisely under pain of deprivation of their offices.

January 28th.—The Councill considering a letter direct to them by Sir Robert Forbes of Auchinhove, advocat and agent to the Borrows, bearing that the Privy Council had granted a warrand for a voluntar contribution to him for building a bridge on the water of Dee a little below the toun of Kincardin and therfor intreating the Councill would ordain the contribution to be gathered by some of their own number from each particular person's own hands and going from house to house, They in obedience to the said Act of Councill and for the respect they bear to the said Sir Robert Forbes allow the said contributione to be sought in maner forsaid and for that end do nominat Baillie Gordon and James Gordon, senior, to collect the same.

March 25th.—The Councill considering that Robert Gibson of Linkwoods is presently very furious and had almost broken their prison they by virtue of the Act of Secret Council granted them ordain him imediatly to be secured in irons.

July 8th.—The Borrow's Ratification of the Sett agreed to 13th September, 1705 [here recorded in full].

There is £6 Sc. due to James Gordon, senior, for mourning ribbands given to the officers at Baillie Russell's buriall.

David Stewart and James Anderson elected clerks to the Town Council *ad vitam aut culpam.*

October 7th.—The Councill do recommend to the Provost (who is going south to the Parliament) to endeavour to procure an Act of Privy Council for a voluntary contribution towards building the tolbooth and

advancing the harbour at Lossie. The Councill recommend to the provost to endeavour to gett ane Act of Parliament in the town's favours for two pennies Scots upon the pynt ale to be applied for clearing the town's debt.

November 18th.—The Council upon a petition presented to them by the Trades ordain the bedall to ring the great bell each night at ten aclock as being a fitter hour for tradesmen to leave off their work and that upon the one side of the bell.

December 15th.—The Councill appoints the treasurer to take such methods as may be effectual to preserve the town's clock from being spoilt by the injurie of the weather and blowing from the north and south open places in the steeple.

1707.

April 28th.—John Gordon gave in the keys of the laigh prisson house where Linkwoods lyes which were given to John Sutter.

May 12th.—The mosswards are all equally divided in the charters but very unequally divided in the manner they are now possest. The magistrats and lynstars are to lyne the wards from their west march with the lands of Main to the eastmost of the wards contiguous with the Cattails as they are presently possest and to sett off to each heritor the thirty two part of the said platt of ground whereof all the heretors inhabitants in town are to be certiorat by publick intimation. They reckon 32 spaces to each aughten part's ward and compting ane Scots eln of 38 inches to the space and including 6 quarters for stanks to each ward. The Councill appoints the measures above written to be the standart in lyning the wards in all time coming.

May 28th.—Marie Bannerman, relict of George Leslie of Findrasie, is to mortifie 1000 merks Sc. for the poor of the parish of Spynie. The town council agree to stock it in their hands.

Some of the town's houses and lands are sold at sight of the commissioners of Inverness, Nairn and Forres towards payment of their debts. Houses sold for 2000 merks Sc. One of the conditions of the roup of the town's houses: The roup is to be by inch of a candle.

June 16th.—John Innes of Dyckside represented that he had formerly mortified 1000 merks to the poor whereof 600 merks to the poor of Elgin

and 400 to the poor of Birnay and St. Andrews equally which money was now in the hands of George Innes of Dunkintie conform to a bond granted to the Magistrates as patrons of the mortification. The said John Innes now designs to mortify 1000 merks more and for that purpose has purchased the Shutting Acres from Robert McKean at £1500. To the poor of Elgin the @rent of 1000 merks, of Longbride 400 merks, of Birnay 200 merks, of St. Andrews 200 merks and of Urquhart 200 merks.

June 23rd.—The town's marches to be visited Saturday next by the heall burgesses.

[John Innes of Darklen's mortification here recorded in full.]

August 6th.—The Council is debtor to Mr. William Sutherland, provost, for £451 4s. Sc. for his Commissioner fees at the last Session of Parliament from 8th October, 1706, to 5th April, 1707, and for his horse hyre south and north and a guinea given in to the Clerk Register with the draught of an Act of Parliament in the Town's favours for two penies on the pynt.

September 22nd.—William Duff of Dipple, now residing in the burgh, elected a Councillor also Kenneth McKenzie, apothecary.

1708.

January 12th.—The Lossie Wynd Port to be looked to and to consider what reparations will be necessary to be made by masons.*

February 10th.—The Councill considering that the tolbooth of this burgh being latelie burnt be Linkwoods does yet remain unrepaired and anything yet remaining therof is altogether insufficient as also considering that the town have been often desired be the Justices of Peace to repair their said prison and that be reason of the severall debts and burdens wherin the town is engaged the common good is noways able to help the said work in the least and therfor the Councill unanimouslie appoint a Head Court of all the Burgesses to be called the 21st inst. that the true state of the matter may be exposed to them and they either voluntarly contribute therfor or consent to a stent.

* All trace of this Port is gone, but, to mark the spot, Provost Culbard, with the interest he takes in all matters antiquarian, caused a stone to be placed on a house in Lossie Wynd with the following inscription :—" Remnant of North Port Found 10 Feet due East. 1884."

The Council conform to the custom of their predecessors and the practice of other burghs in naming and deposing kirk treasurers and compting with them, discharge John Sutor from acting or exerceing as kirk treasurer in time coming and nominat Andrew Dick, Hospitall master, as Church treasurer in his place.

March 8th.—At a Head Court it is agreed to pay voluntarily for repairing the tolbooth.

May 26th.—*Election of a Parliament man by Elgin, Banff, Cullen, Kintore and Inverurie.* It was unanimouslie agreed by the whole Commissioners that whoever shall be elected to represent this class or district of burghs shall serve all the sessions of the ensuing Parliament at his own expence and shall not demand nor have right to anie Commissioner fees or charges or deburseme nts whatsoever from all or anie of the burghs he represents but shall subscrive ane valid and formall renounciation and discharge therof befor he receive his comission. Colonell Patrick Ogilvie* of Loanmay, burges and inhabitant of the town of Cullen, commissioner from the burgh of Cullen, is unanimouslie elected to be a member of the House of Commons for the said burghs.†

June 4th.—On Wednesday last, the 2nd inst., at Trinitie mercat in this town ther arose a tumult occasioned by some souldiers seizing and pressing or attempting so to do to free lieges at the fair for which severalls of the souldiers were committed prisoners and remain in the tolbooth yet do appoynt tryall to be taken of the abuses committed. The Councill considering that at the tumult which arose in the mercat this week James Roy, carpenter in Elgin, was killed, as is informed, by

* On the top of the Castle Hill, Cullen, is an inscribed stone with the initials M. P. O. and D. E. B., and the date, 1688; also a stone with the Baird arms, probably both removed from the house of Patrick Ogilvie of Pattenbringand, Cullen. His wife was Elizabeth Baird.

† Brigadier-General Alexander Grant was elected Member for the shire of Inverness in 1708 at the first elections in Scotland of members of the first British Parliament. He was present in Elgin shortly after the first nomination (on 26th May, 1708) of a member for the district of burghs, of which Elgin was one. While in the town he was made the subject of popular displeasure, apparently on account of the support given by him to the Union. On 4th June following he writes to an agent in Edinburgh:—"Major Clephan will give you a full account of the insulencie happned me and some officers at Elgine upon the 2nd inst. . . . he was to waite upon the Earle of Leven and receave his directions, and then will tell you what method to follow and order money for doeing it . . . I can make no particular libell in the matter, since, except the magistrats, there was not four people in town but were concerned in it, so it must run against the whole. I expect your care in this, for I never met with such a piece of impudence done me, though, at the samen [time], it was the samen thing to them if they could but maul any body that either served the Queen or was well affected to the government." ("Chiefs of Grant," I., 335.)

John Grantt of Carron, appoint a letter to be written to her Majesties advocat at Edinburgh and the town's agent that the advocat's advice may be had how to proceed to prosecute the murderer and the wounds and blood given to severall others of the burgesses the forsaid day.

The Councill judging it convenient that the inhabitants of this burgh watch and ward conform to the custom of other burghs do appoint the haill burgesses to keep guard night by night as they shall be ordained by the Magistrates and appoint a repartition of the whole inhabitants into twelve guards and to name 24 persons for captains out of whom the Councill may choise twelve.

June 25th.—The Councill appoints the Town's marches of Mostowie to be ridden to-morrow and the inhabitants to be warned to attend the Councill befor noon.

June 30th.—The Councill do impower the Magistrates to subscrive an comission to Thomas Calder to uplift and receive any share due to this town of the sum subscrived for by the Borrows to the African Companie.

July 21st.—The Councill appoints the town's marches with Linkwoods' lands and the mosses of Strathkant and Glassgreen as also their marches with Mayn to be perambulat Saturnday next and all the inhabitants to be warned to attend the magistrates said day under the penalty of 40s. Scotts each absent.

The Councill upon a petition from William Duff of Diple and Mr. Archibald [Dunbar] of Thundertoun for themselves as heretors of Liggat and in name of the tenants therof craving leave for the said tenants to cast peats in the Moss of Mostowie this season 1708 do allow them liberty to cast, win and away take peats this season allenarlie.

August 2nd.—The Councill considering the calumnious and malicious information made to the Queen and officers of state of the Magistrats and Councill anent the last Michaelmas election and certane other points as if they were disaffected to the Queen and government which is most false as also considering that ther was latelie a precognition taken and witnesses examined by the sheriff by order from Mr. Secretarie Boyl and Sir James Stewart, advocat, and that it is reasonable the Councill should make their defence and vindication from these aspersions do grant warrand to the Provost, Baillie Falconer and James Anderson, clerk, to draw up informations, defences and ansuers for the Councill in this

affair and to advise and consult the same and if need be to transmitt petitions and representations to the Queen's most excellent Majestie of the affair and to subscrive the same for and in name of the Councill and to follow such other methods as they shall see proper for the Councill's defence and vindication and whatever expence they are at theranent the Councill do herby oblige them and their successors in office to refound and repay the same to them.

The Magistrats reported that they had perambulat the town's marches with Linkwoods and Mayn and that ther was severall had casten peats in that part of the Moss of Glasgreen called Michie's Moss without warrand and that Pitgavinie and his tenants had casten peats within the bounds of the piece moss in contraversie tuixt the town and him and that they had caused arrest the said peats and that some having carried of the said peats since the arrestment do ordain such persons to be pursued befor the judge competent for damnages and breach of arrestment.

August 16th.—The Provost, Baillie Falconar and James Anderson reported that in prosecution of the Councill's comission last sederunt they had gone to Aberdeen and there by the advice of an Lawyer versed in the customs of England had drawen an petition to the Queen with an Memoriall to the Earl of Sunderland, Secretarie of State, and subjoined short notes and remarks to the witnesses depositions all which they had transmitted in a letter to the said secretarie of which procedure the Councill approves.

September 27th.—Resignation made be Alexander Sutherland, elder of Kinminitie, and M^ris^. Barbara Guthrie of the wadsett right upon the town and arable lands of Mostowie which was in their person by progress from the late Lord Duffus in favours of Mr. William Sutherland, provost, and Mrs. Helen Duff, his spouse, conform to the disposition granted be the said Alexander Sutherland, provost.

October 11th.—Thomas Brodie of Pitgavnie claims as against the town the piece moss at the south end of the Longhill of Birnay.

The Councill considering that it was the antient custom of the town councill to meet everie Munday morning at eight aclock which being som while past in disuse they of new statute and appoint that the whole Councillors meet everie Munday morning at eight aclock on the ringing of the bell without any other warning under the penaltie of 18s. Scotts

money each absent without a reasonable excuse and ordain the Councill bell to be rung an quarter of hour every Councill day.

Magnus Burger degraded and turned out from being one of the town officers for his severall faults and misdemeanors in suffering prisoners to escape from the tolbooth.

October 18th.—The Councill ordains and appoints the whole burgesses and inhabitants of this burgh (Councillors excepted) to keep guard in their respective turns from nine aclock at night till fyve aclock in the morning under the penaltie of 20s. Scotts to be exacted by the Captain of the guard without diminution unles the party have an reasonable excuse and this guard to comence immediatlie and to endure all this winter, accordinglie the town was cantoned immediatlie into 16 guards, consisting of 24 or 25 men each, and the Councill named their captain.

November 1st.—*Lint searched.* The Councill appoints the Magistrats and Dean of Gild to go with the town's officers each through an quarter of the town and search if ther be any lint in firehouses and to punish the transgressors conform to the town's statute and confiscat the lint to the officers and that immediatly to be gone about.

Constables chosen: John Walker, Alexander Forbes and John Burges, gunsmiths, James Forsyth, glasier [and four others].

November 22nd.—The Councill recommend that Colonel Patrick Ogilvie, representative of the classes of burghs in Parliament, use his endeavour for continuing Coll^ll^. William Grant his independent companie and augmenting the number for the preservation of the peace of the countrey and the other ends and uses of the establishment.

The Councill considering that there are severall ruinous tenements in this burgh which pay no cess and that the town will have use for stones in repairing the tolbooth do ordain a publick intimation by drum to be made requiring the heretors of such lands to repair them.

December 13th.—The baillies and clerks to procure subscriptions from the inhabitants for repairing the tolbooth.

The bellman being complained for negligence in ringing the bell in the morning he was called for and enjoined to be verie exact hereafter, otherways that any counceller might for any transgression comitt him prisoner till he pay 20s.

The tacksmen of the pettie customs having complained that the seamen of the Burgh, Causea and Stotfield did not present their fish to

the mercat of this burgh conform to use and wont but sold them at the shoar and otherways abstracted them to the great prejudice of the comon good the Councill appoints the said haill seamen to be cited before the Magistrates to ansuer to the said complaint.

1709.

January 10th.—*Act anent bells and mortcloath to Baillies' wives.* The Councill finds that there is nothing due for bells and mortcloath to the funeralls of Cristen Man, relict of John Spens, baillie, in respect that she was widow to an Magistratt and that by the custom of the burgh such are exempt.

The Councill appoints Justice of Peace courts to be kept by the magistrates each Munday after the Councill rises.

January 17th.—Thomas Calder's charge as Commissioner to the Convention of Burghs is £220. The Councill are of opinion the days for his return home should be restricted to four days allenarlie after the adjournment of the Convention.

Liberty to Smith and others to live at New Elgin. The Councill upon petitions from Ferquhard Smith, William Anderson, William Dunbar, Alexander Shiach and George Hendry, allow them to build houses, labour and possess and win in land on the muirs south and southwest of the moss of Mostowie and that during the Council's pleasure allenarlie and appoint the treasurer, conveener and deacon warden some day this week to go and view the present state of the said lands of New Elgin and report and clerk Stewart to attend them.

February 21st.—Report anent the tenants on New Elgin: The land winn in be them amounts in hail to eleven bolls. Tacks for three years to be set to the possessors and each tenant's yearly duty to be equal to his sowing and to allow them liberty to win in what more land they can for the said three years rent free and each tenant to pay an reek hen.

The Councill approve of building an guard house with an vault under ground beside the tolbooth alreadie designed to be repaired.

February 28th.—William King, provost, entered to the two quarters of Barflatthills with the haughs and Cran Crook therof disponed to him by the Bishop of Edinburgh.

March 21st.—The Councill appoints the Theasaurer to give a crown to ten distressed seamen lately taken at Cromarty by a French privateer.

April 4th.—A committee appointed to take contracts for rebuilding the tolbooth.

James Nicoll, officer, accused of giving the use of the town's laigh prison to John Harley, gardner, for recepting of some wort and ale concealed be him and defrauding therby the Queen of her duty and excise. He confessed his wife had given the key to John Harley. James Nicoll's livery coat to be taken from him and he to be putt in irons in the fish mercat at 12 aclock and to sitt there during the Magistrats' pleasure for his offence and misdemeanor.

The Councill grants libertie to John Leslie of Balnageith and to the provost to winn lime stones in the town's bounds.

The Conveener and Deacons of the six Incorporated Trades complain that the fishers of Burghsea, Cowsea and Stotfield keep back their fish from the publick mercat of this burgh to the great detriment of the town's people who were principally subsisted by these. A Head Court to be called tomorrow anent this matter.

April 14th.—A contract ratified with John Ross, mason in Kirktoun of Duffus, James Ross and George Ogilvie, masons in Elgin, to rebuild the tolbooth. William Rose, thesaurer, appointed collector of the voluntary contributions for said work.

April 18th.—The Councill ordains intimation to be made by the drum through the town appointing the inhabitants to herd their cattle and the statute relative therto to be read.

The Councill ordains the magistrats to attend and entertain the Lords who come upon the circuit and their retinue in such manner as they think fitt at the town's charges.

A letter to be written to the Laird of Grant desiring his consent to take of the slates from that side of his Lodging in Elgin which is towards the street because of the imminent danger to the inhabitants in passing and repassing therby. [February 14th.—The Councill cause that the loose sclates in Pluscarden's house be taken down.]

May 9th.—A vault to be bigged higher above ground in place of the pitt proposed at the tolbooth.

May 23rd.—The councill appoints the treasurer to cause win lime stones for the use of the tolbooth in the town's muirs and to big an lime

kiln of them on the south side of the Cattails for burning therof. Meantime to speak to Bishopmiln for the use of his lime kiln and quarrie untill the town's be built.

June 6th.—All the town's marches to be ridden to-morrow at eight aclock in the morning. Ilk inhabitant absent to be fined three pund Scotts.

The Councill considering a complaint given in against the drummer for not beating the tap-tow and reveiller through the whole town, do therfor ordain him to beat at the accustomed hours morning and evening from the West Port to the East and from Lossie Wynd to the School Port under penalty of 10s. Sc. for each time he transgresses.

June 13th.—The Councill appoints to ride and visit the town's marches and mosses of Strathcant, Glassgreen and other marches at the east to-morrow.

August 1st.—It is found that 26 persons have encroached on the moss of Mosstowie, built houses theron, &c. To be summoned.

September 12th.—The town is due for the entertainment of the Circuit Lords in May last £168 15s. Sc.

The Councill do ease the inhabitants from furder keeping of guards untill the Councill's farder orders.

The Councill order Baillie McKenzie, junior, to provide for the entertainment of the Circuit Lords who are to come here in October next.

September 26th.—The Councill appoints Baillies Calder and McKenzie to go to Cullen and wait on the Earle of Seafield and in the town's name to give his Lo/ thanks for the speciall care he has always had of this town's affairs and particularly in presenting the late address sent be the toun councill to the Queen.

September 27th.—William King elected provost by majority of votes over William Duff of Diple.

October 24th.—All the burgesses and inhabitants to keep guard in turns.

October 31st.—The Councill appoint a letter to be written to Sir Francis Grant of Cullen, now one of the Senators of the Colledge of Justice, thanking him for the good services performed be him to the town when he was their advocat, and desire his advice whom he will recommend to succeed him as advocat for the town.

Ràtes of Pettie Customs of the burgh of Elgin:—[69 items in all.] Ilk elne plaiding 1d., ilk horse 2d., ilk oxe and cowe 1s. 4d., ilk sheep 4d., ilk mutton bouk 4d., ilk cartfull of fish 1s., ilk cart 1s. 4d., ilk sled 1s., ilk pair of shoes for man or woman 2d., ilk barked hyde 1s., ilk tub 2d., ilk wheel 4d., ilk stone of wooll 2s., ilk kelloch 2d., ilk 20s. worth of hair for wigs 1s., oaters' skins the piece 1s., ilk sheep skin 2d., ilk peck turneips or parshneips 4d., the load of roots such as carrots, turneips and parshneips 1s., lambs or kids 4d., ilk dozen rigwoodies 2d., ilk dozen pidgeons 4d., ilk dook 2d., ilk goose 4d., ilk dozen green spouns 6d., ilk dozen ram's horn spouns 4d., ilk elne tartane 4d. &c.

December 5th.—Total voluntary subscriptions for the tolbooth £1034 15s. 4d. Nearly all yet paid in has been expended, and as the masons are clamorous for more money 1000 merks Sc. is to be borrowed from Alexander Sutherland of Kinminitie.

1710.

February 14th.—An Act passed appointing a quorum of councill owing to the absence of several, of whom some do not reside in town as Mr. William Sutherland, and others have not accepted as Diple who did not take the oath.

March 27th.—The Councill grants libertie to Provost King to build an lime kiln for his own proper use allenarlie upon the piece bounds belonging to the town on the north side of Tayock.

May 15th.—Baillie Gordon presented an Memorial signed be Mr. Smollett, Agent to the royall Borrows, relating to the manner of componing with or citing the unfree traders which the Councill appoints Baillie Gordon to go about in conjunction with the Commissioner of Forres.

June 6th.—The Sheriff of Murray having latelie caused charge six of the burgesses of this town to guard prisoners from this place to Banff under the penaltie of £50 Sc. and the said persons not obeying by express command of the magistrates who did judge the same to be a servitude to which burgesses were not tyed the Councill approve of the Magistrates proceeding and take proceedings for a suspension of said charges and resolve to support those charged and to call a Head Court for a stent to vindicate the priviledges of the burgh.

June 19th.—The magistrates and whole burgesses to ride the town's marches on the west and south upon Wednesday next under the penaltie of thrie pund Scotts ilk absent.

The Council grants libertie to Andrew Cobban, servitor to James Innes in Plewlands, to build houses on the lands of New Elgin to win in and labour of the town's muirs adjacent such land as he is able for four years after this date and that rent free the said space.

October 9th.—The Council nominat Baillie Rose to sitt as Baillie with the kirk session and to decern the delinquents for the fines of immorality.

October 16th.—The Councill considering that James Ogilvie, mason, and Alexander Lie, coupar, are charged by the Sheriff of Elgin to go to Banff with some French prisoners under penalty of fiftie pund each, the Councill do discharge them from obeying the said charge as contrary to the priviledges of the burgh and oblige them and their successors in office to relieve them theranent.

The guard lists drawn out and new captains named. Ilk absent to pay 10s. Sc. Guard to be sett at 9 aclock at night and to remain untill 5 in the morning from 1st November to 1st Aprile.

Act against Treats. The Council considering how much the town is involved in debt do statute and enact that untill the next election no manner of treats shall be given be all or any of the magistrats to honorary burgesses or others at the toun's charges and the treasurer is discharged to ansuer their precepts with libertie notwithstanding to the magistrats to dispose of the fines as they think fitt.

November 20th.—William Falconer, apprentice to William McAndrew, glover, and Alexander Innes, servant to George Seaton, litster, fined £3 Sc. and £5 Sc. respectively for playing at cards and dice within Robert Innes, glover, his chamber.

December 4th.—Meetings of Councill to hold on Munday at 9 aclock in the morning from 1st October to 1st March and from 1st March to last of September at 8 aclock in the morning.

December 18th.—An accompt for £229 2s. Sc. due be the toun to Walter Montgomrie, merchant, for severall treats in his house was *una voce* approven.

1711.

February 19th.—The constables of the town were called and ordered by the Councill immediatlie and without delay to give in lists of idlers within this burgh that they may be seized and sentenced to serve her Majestie as souldiers be virtue of the recruiting act and the said lists to be readie against to-morrow at eleven aclock forenoon.

February 26th.—Donald Paterson, latelie in Milntown, did personally appear and voluntarlie engage himself to serve this burgh all the days of his life as their marshall or hangman in everie part thereof and the treasurer is ordered to give him an new coat and pay him 20s. Sc. *per mensem* and to give him new breeches shoes and hose.*

April 9th.—The Council considering that by an act of the Convention of Borrows held at Aberdeen in July, 1698, they were allowed to few out their grass lands of Mostowie at the sight and by the advice of the burghs of Inverness, Nairn and Forres or anie tuo of them and that by another act of the Convention of Borrows held at Edinburgh in July, 1708, they are allowed to few their muirs lying south and south west from Mostowie at the sight of the burghs of Inverness, Cullen, Forres and Nairn or any three of them and that by a third Act of the said Convention held at Edinburgh in July, 1710, it is remitted to the burghs of Inverness, Banff, Forres and Cullen to endeavour to compose the differences betuixt this toun and the sheriff therfore the Councill do agree to few out the said greens and muirs of Mostowie. The day of roup and of meeting with the Commissioners from said burghs fixed.

The Councill allows Baillie Rose to build a bridge over the water of Tayock on the high way belonging to the toun through that part of the Cattails opposit to the School Wynd upon his own charges and if anie other person with horse and carts use the said bridge appoints them to be liable to the said William Rose for a proportional part of the expence of the bridge.

* Cf. p. 203, "Extracts from the Records of the Burgh of Aberdeen":—"15th October, 1662. The counsell appoints threten shilling four pennies money to be given weekly out of the moneys belonging to the sessione to William Brutchie . . . and appoints the tuo litle housses under the Gallowgait Port to be ane duelling hous to the said scurger dureing his service."

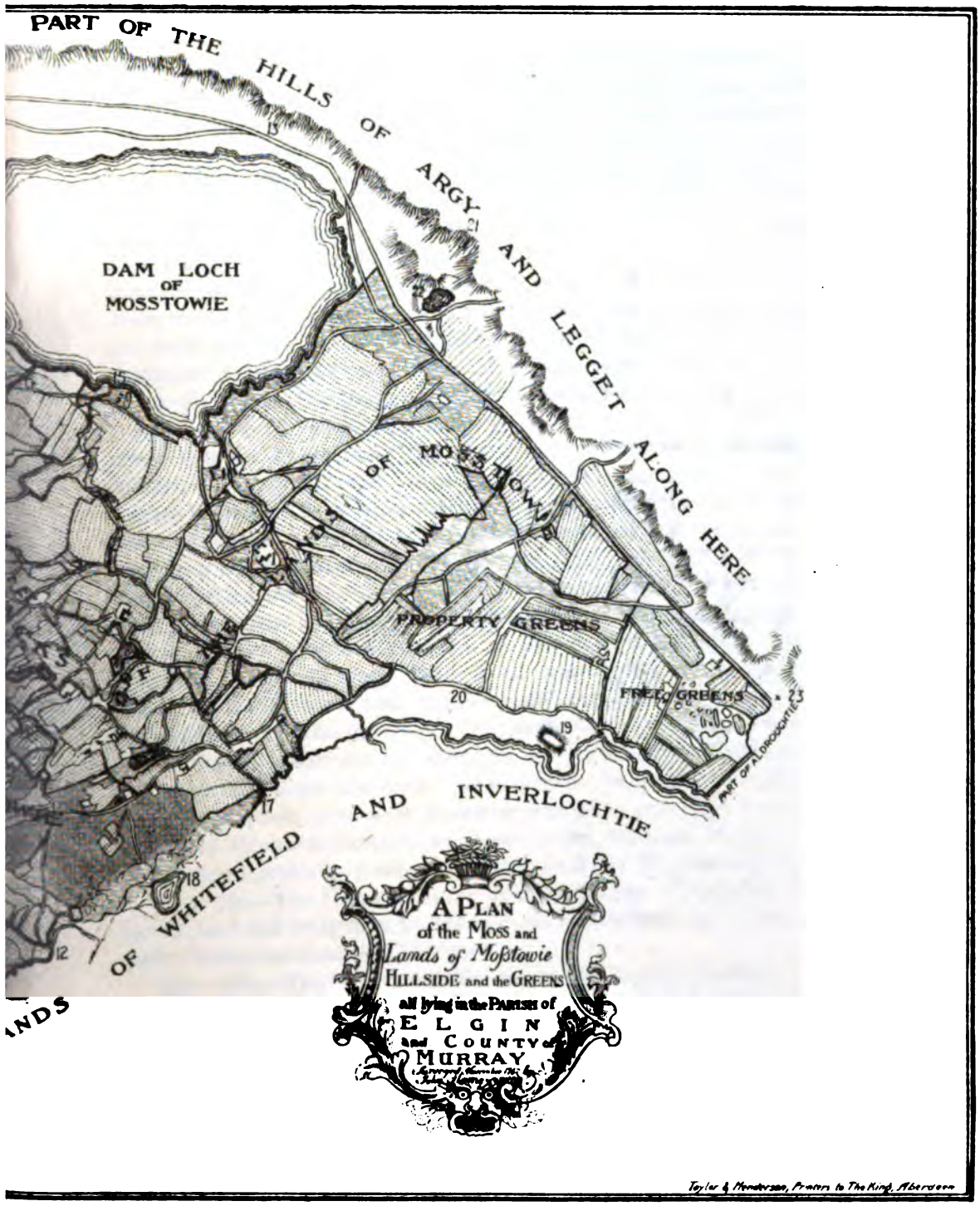
The former constables discharged and eight new constables elected (including William McGregor, armourer, James Grant, barber, etc.).

The Councill do admitt, receive and creat Alexander Johnstoun, brasier in Keith, burges and freeman of this burgh, for his encouragement to live in this burgh and to practise his said trade therin and he gave his burges oath* and declares that his said freedom shall be of no use to him unles he dwell within this burgh.

April 26th.—The greens and muirs of Mostowie feued to Mr. William Sutherland of Roscommon (late provost) for 5300 merks Scotts and 59 merks Scotts of yearlie few-dutie [copy of charter thereon, pp. 162-170 of Minute Book]: Whereas diverse kings of Scotland with the advice of the Estates of Parliament esteemed it profitable to set in feu farm the lands of the kingdom of Scotland for the policy and decorment therof, Item the Commissioners of the Royal Burghs at Montrose, 19th June, 1591, ordained the common lands of the heed burrows of Scotland to be set in feufarm for the profit of the burghs which act King James VI. be his charter of confirmation ratified and recommended the same to the burghs that had not then set in feufarm their common lands and ordained that they set in feufarm all their common lands to the actual burgesses of the said burgh for the profit and commodity of the burgh and in augmentation of the rental of the same, Item in an Act of General Convention of Burghs holden at Aberdeen, 8th July, 1698, they granted warrand to the burgh of Elgin to dispose of their grass lands of Mostowie in few or long tack at the sight of the burghs of Inverness, Nairn and Forres, Item the General Convention of Burghs at Edinburgh on 12th July, 1708, did allow the burgh of Elgin to few and sett in tack their muir lying south and south west from the Moss of Mostowie at the sight of the burghs of Inverness, Cullen, Forres and Nairn, therefore the Councill resolve to feu out the said greens and muirs for improvement of our common good and augmentation of our rental because the said greens and muirs had never heretofore yielded any rent or income to us or our predecessors in office. We appointed a public roup to be on 25th April last at sight of said burghs; at a second roup held on 26th April Mr. William Sutherland of Roscommon was the highest offerer. Boundaries:—that piece land and bounds commonly called the Greens of Mostowie lying betwixt the lands of Auldroghty at the east the arable

* See Minutes of Burgh Court, 1754.

1. *Milntown*
2. *Burn of Culkittack*
3. *Gibber Gate*
4. *Saddle Stone*
5. *Pudden Road*
6. *Gibben Stone*
7. *Shunders Cairn*
8. *Silver Foord*
9. *Swanstree Burn*
10. *Sauchenbogie Hillock*
11. *King's Road*
12. *Road from Whitefield to*



13. *Road from Forres to Elgin*
14. *Mairstone*
15. *Arn Burn*
16. *Angus Loch*
17. *Bridge of the Longhill*
18. *Bashy Loch*
19. *Whitehill*
20. *Milnburn*
21. *Knock of Alvahs*
22. *Layey's Loch*
23. *March Stone*

lands of Mostowie at the west the lands of Whitefield at the south and the king's high way at the north, together with the whole muirs belonging in property to the burgh of Elgin lying south and southwest from the Moss of Mostowie. Marched as follows:—Beginning at ane stone which stands upon the north side of the high way which leads from Elgin to Forres betwixt the lands of Auldroghty at the east the lands of Woodside at the north and west and the lands of Mostowie at the south from thence lineally southward to ane stone upon the stank side that divideth the lands of Auldroghty and Mostowie and from the said stank south to the burn from thence south west to ane gate that passes through the north west side of the hill called the Whitehill from thence south and southwest alongst the run of the burn that comes from the Miln of Mostowie dividing the greens of Mostowie from the Moss of Innerlochty, from thence southward alongst the strype called Coalkittack to ane other stone in the north west way that comes from Whitefield to the Moss of Mostowie from thence south to ane other stone at the entry of the muir bewest Whitefield from thence alongs the gate called the Calder gate to ane stone called the Sadle stone upon the north side of ane strype that runs in a stank from thence keeping the said gate south west to ane stone on the south side of the said gate with ane long hewn score on the head of the same and ane [blank] hill betwixt it and the gate called the Marstone, from thence north west to ane stone betwixt the Cairn of Shunders (?) and the silver foord, from thence westward to ane stone called St. Giles' stone, from thence north and north east alongst the Longhills that divides the lands of Minaughty and the lands of Mostowie and as the said muirs doe run along the side of the moss of Mostowie at the north and north east parts. Reserving to the magistrates and community the whole mosses of Mostowie, excepting also that part of the Greens of Mostowie formerly feued out to the deceased Francis Brodie of Milntown presently possest be Joseph Brodie of Milntown his son.

May 9th.—The Councill allows William Dunbar of Dikeside liberty to win, lead and away take for his own use lime stones out of the town's muirs during the Councill's pleasure.

May 16th.—The horse post office rouped for 21 pund Scotts.

The Councill grants liberty to Gilbert Hay, glover, to cast one day in the moss of Strathcant with two peatcasters for his own use.

July 30th.—The Convention of Royal Burghs have ratified the roup

and sale of the greens and muirs of Mostowie. Act passed by the Borrows in the town's favours relative to the debate betwixt the town and Banff. Act of the said Borrows passed granting to the burgh of Elgin the benefit of the unfree traders within the shire of Elgin since 1699 and untill the nixt Convention. The Councill in prosecution of the Act of Burrows granting to this burgh the benefit of the unfree traders in this shire appoint Diple to wait on the Earle of Huntley and discourse his Lo/ anent the toun of Fochabirse and to treat with him anent the composition therof and also appoint Baillie Gordon and James Anderson to speak with the Laird of Innes for the burgh of Germoth; the Laird of Kilravock for the toun of Findhorn; the Laird of Brodie for Dyke; the Earle of Murray's chamberlain for Darnway or any other unfree traders within the shire.

The baillies are appointed to visit the mosses of Strathcant and Glassgreen and the moss along the foot of the Longhill of Birney and to cause lead such peats as are casten therin without leave of Counsell.

September 24th.—The provost, baillies and councillors are discharged from spending anie part of the toun's money or comon good on treats, intertainments or at making burgesses considering that the common good of the toun is much incumbred with debt and taking to their serious consideration that ane frugall management of the comon good is the onlie way left to extricat the toun out of these burdens and to pay their debts graduallie.

October 15th.—Thomas Stephen, merchant, gave in the keyes of the laigh tolbooth where Linkwoods is incarcerat.

November 5th.—Guards to be from 9 p.m. to 6 a.m. from 1st October to 1st March and from 10 p.m. to 4 a.m. from 1st March to 1st October. The captains to be fined three pund Scotts if they fail to attend.

1712.

March 3rd.—Two lynsters in presence of Baillie Charles measured and lyned the 26 taills of land which lye betuixt the Appothecary croft at the west and the lands of William Sanders, writer, at the east. They find each taill is 27 foot and 5 inches in breadth. The Councill approve.

June 21st.—The Councill give liberty to some poor men and to the officers to cast peats in the town's mosses at the back of the wairds and

Strathcant. The Councill grant liberty to Mr. Archibald Dunbar of Thundertoune, heretor of Legat, and William Duff of Diple, wodsetter of a part thereof, that their tennents cast peats in the Moss of Mostowie for this current year allenarlie but not to meddle with firre.

November 17th.—New guard lists drawn up.* Ilk absent to pay 30s. Sc.

1713.

Lady Roscommon pays £1498 " 6 " 8 Sc. in part of the sums due by her husband to the town for the greens of Mostowie.

April 13th,—[Copy of Mortification of date 6th April, 1713, by John Innes of Darkland here recorded, 700 merks Sc. to the poor of Elgin and 300 merks Sc. to the poor of Longbride.]

June 15th.—Order given that some poor men cast peatts each man for one day in the town's moss which lyes bewest the cattaills.

August 17th.—The Toun's big bell which was in the church steiple which was first founded in the year 1593 and haveing bein in this year 1713 rendered usles by a rent therin was taken doune by order of the Toun Councill and upon the 13th August current was refounded vithin this burgh by Albert Gely, founder in Aberdein. The expence wheroff was done upon the charges of the toun's comon good and upon this 17th of August the said bell was hung up and rung, the weight wherof consists of 638 pund and the whole pryce of the said bell extends to 325 punds Scots money including the pryce of what mettall was furnished be the said founder.

* From a "List of Burgesses of Elgin who bear scot and lott therin," drawn up 22nd April, 1712, it appears that the number of said burgesses was 207, of whom 61 are designated merchants, containing such names as Warden, Harper, Gordon, Calder, Innes, Cramond, Geddes and Russell, 19 glovers (Dunbar, Wardon, Milln, McAndrew), 16 shoemakers (Petrie, Niddrie, Gordon, Walker), 13 tailors (Lorimer, Blenshill), 9 hirers (Walker, Millin), 8 weavers (Hay, Purse, Grant, Hutchin), 9 maltmen (Brander, Avis, Bain), 10 wrights (Clerk), 3 carpenters (Cato), 4 masons (Rose, Ogilvie, Lawrie), 4 smiths (Smith, Walker), 1 tinker, 1 pewterer, 1 flesher, 1 glasier (Forsyth), 1 litster (Adam), 3 barbers (Hay, Grant, Brodie), 2 writers (Sanders, Wiseman), 1 seaman (Baddon), 2 brewers (Young), 2 gunsmiths (Forbes, Burges), 3 coopers (Lie), 3 messengers, 1 baker, 1 turner, 2 wigmakers, 1 apothecary (Robert Innes), 1 chirurgeon (William Shiells), 1 sadler, 1 watchmaker (James Love), 2 tanners, etc. Other names that appear on the list are Alexander Innes of Stonietown, Mr. Alexr. Russell, doctor of medicine, James Fraser, Sheriff-Clerk, William Duff of Diple, Mr. William Sutherland of Roscommon, John Sutherland of Greenhall, William King of Newmiln and Thomas Donaldson of Kinnairdy.

The pettie customs sett for 513 punds Sc. yearlie to William Shiels, surgeon, for three years.

October 12th.—The Councill ordains all the inhabitants of this toun who have horses to lead one freight of stones to the tolbooth gratis once this week under penalty of 6s. Sc. for ilk absent horse.

1714.

July 21st.—George Chalmer, now of Pittenseir, entered as vassall to the town in the half of the davoch lands of Easter Pittenseir upon ane adjudication against Walter Chalmer sometime of Pittenseir.

August 23rd.—Guards to be kept nightlie in the tolbooth fra 9 aclock at night untill 7 in the morning. Penalty for ilk absent three pounds Sc. The whole town distributed into ten guards of forty men each. Two pounds weight of powder to be given to each captain out of the powder secured in the tolbooth on payment of the price to be distributed among the guards but all shooting without order of the captain of the guard discharged.

September 13th.—The office of conjunct clerk of this burgh to be exposed to a roup publicklie. Only James Fraser and six others allowed to offer. Conditions of roup: (1) The office to be *ad vitam aut culpam.* (2) The office to be entered at 200 merks and each offer to exceed other in ten merks Sc. (3) The highest offerer to carry the office he finding caution for the sum offered payable to the treasurer for the use of the common good.

September 15th.—James Fraser, notar publick, offers 520 merks Sc. and is elected conjunct clerk with James Anderson. The council is thus able (21st September) to repay 400 merks borrowed from Diple to pay Mr. Gellie for founding the town's big bell.

Mr. Archibald Dunbar of Thunderton has lately taken a lodging in the town.

October 11th.—Considering that there is aboundance of quiet in burgh and countrey and that there is no use of double guards the Councill doe therefor reduce the present number and standart of 40 men to the number of 20 men. Councillors, old men past sixtie and writers are exeemed.

The Councill resolve to send off an address to His Majestie the next post through Mr. Murray, member of parliament.

November 1st.—Presented to the Council a Mortification from John Innes of Darkland dated 2nd December, 1698, in favours of the poor of Elgin, Birney and Longbryde for 1000 pounds whereof 1000 merks Sc. to the poor of Elgin and 400 merks to the poor of Birney and Longbride and 100 merks to be disposed of by Coxtoun and Dunkinty to the poor immediatly after the decease of the said John Innes. [The deed here recorded in full. In the deed the mortifier is designated John Innes of Dykesyde and his wife is Helen Dunbar.]

[The present and preceding Minute books to be sent to Edinburgh in the case William King of Newmiln against the Town.]

December 29th.—There being quarters intimat to the Provost by Serjeant George Armour in Carpenter's Regiment of Dragoons for payment of £35-3-8 stg. oweing of cess by the burgh, the Councill agree that the deficients be quartered upon also that the party quartering be agreed with and the sum to be paid to the said Serjeant Armour and the same to be exacted from the deficients.

1715.

Protestation taken by Archibald Dunbar of Thunderton and others anent electing a delegate to go to Kintore for choosing a Parliament man. Alleged bribery was the ground of the protest. James Findlay deponed that Grangehill's brother, Alexander Dunbar, offered him a bribe of five guineas to be for Grangehill. The said Alexander Dunbar declared to James Findlay that the Convener had got but three guineas and one of the baillies but six guineas. George Innes of Dunkinty protested against Robert Dunbar of Grangehill being delegate because he had threatened several of the members of Council and declared to them that if they offered to protest against his being elected delegat he should know befor he went to the litle Cross and that his sword was to the fore and that he would be delegat who would or who would not. Ten voted for Grangehill and six for Thunderton. The clerk is ordained to give out Commissions to both delegates and to seal the same with the town's seal in common form.

March 14th.—The toun's statutes are apointed to be booked in this council book (pp. 272-276) and published over the Cross Fryday next.

Statutes (34 in all) of the burgh of Elgin revised, ratified and enacted by the Provost, baillies and common Councill of the said burgh upon the fourteenth of March, 1715:—

(1) That no inhabitant misregard, contemn or lightlie any magistrat or councillor.

(2) That no inhabitant deny assistance to the magistrats or officers.

(4) No houses to be sett to strangers without consent of the magistrats.

(5) All fleshers to bring in with their fleshes to the mercat the tallow, skin, hide, head, horn and foot therof.

(11) That no inhabitant recept any of their neighbour's children or servants within their houses after 6 aclock at night untill 6 in the morning under the pain of five pounds.

(12) That the load of dung be sold for 6d. the draff for 4d. the peck and that no draff be transported out of the burgh and no dung sold to any but inhabitants who labour the lands belonging to or holden of the town.

(13) That all inhabitants cause cleanse the streets before their gaites and lands and remove the dunghills every last day of the week and no muck or dung to be laid at the door of the shambles on the high street or at the heads or entry to vennells, vines (? wynds), ports, high ways, back passages, &c.

(14) The best pair of men's shoes with leather heels, being double soled of ane 11 inches or above to be sold at 36s., &c.

(15) Every servant workman shall have an groat for his wadges and an chapen of ale to his supper and the woman 2s. under the penalty of 20s. Sc.

(16) and (17) Regulations against eating and destroying corn by cattle.

(18) No swine to be kept unless within houses; any person deprehending swine in his skaith can kill them.

(19) No lint, hemp, &c., to be kept within fire houses.

(21) Ilk heretor of the burgh roods to keep a ladder.

(23) Fowls to be kept only in cruives.

(26) Persons guilty of railing, cursing, &c., to be taken to the jougs.

(27) No inhabitant to walk in the streets or fields in time of divine service on the Lords day, &c., under the pain of five pounds for each fault and that there be no incroachment on the Sabbath day by brewing theron or on Saturday's afternoon.

(28) Persons found drunk on the streets to be imprisoned without bail until payment of five pounds for the first fault, ten pounds and imprisonment for the second fault and for the third fault to be liable to the like penalty and to suffer a public rebuke in the congregation from the minister.

(29) No person without the authority of the magistrates to travel the streets as fiddlers or pipers.

(30) That there be no water, dirt or other stuff thrown out of windows to the street nor in closes till after ten aclock at night.

(31) The terms of servants' leaving to be 15th May and 11th November.

(32) No inhabitant to buy butter, cheese, peats, eggs, &c., coming to the mercat till first they be presented to the mercat.

(33) For encouraging of planting and inclosing laws were passed by parliament in 1686 therefore winter herding is appointed as well as summer. Penalty half a merk for ilk nolt, sheep, swine, &c., found upon the incloser (enclosure). There is the incloser of the catels belonging to several heretors and the incloser near Old Milns belonging to James Fraser, which are improvements very profitable and useful to the burgh if rightly preserved therefore transgressors there to be pursued to the rigor.

(34) Carters with draught horses must furnish them when required as the merchants often complain upon the carters.

May 10th.—The treasurer is ordered to buy two great trees for hanging of the bell in the tolbooth and two or three duzon of deals for scaffolding to the piramade.

June 13th.—A Committee of Councill report that salt ought to be sold by weight in this burgh as the law directs this to be done and most of the burghs of Scotland have lately introduced selling salt by weight.

August.—George Innes of Dunkinty, James Anderson, Commissary clerk, and James Fraser, sheriff clerk, did enter in a contract with Albert

Gellie for founding of a bell of about 300 lbs. weight to the tolbooth of this burgh for which they are personally bound for payment of 23 pounds sterling as the price of said bell. The Councill empower the said three persons to collect the said sum by voluntary contribution and, if necessary, the Councill will make up the shortcoming.

September 5th.—The treasurer is appointed to have 24 stones of four feet length each for setting up at the town's marches.

The weather cock to be adjusted and to be affixed on the top of the pyramid of the tolbooth.

The Councill appoints the bells to be rung in manner following on the Lord's days, viz.: the big bell for the first bell the big and little bell for the second bell and these two and the tolbooth bell for the last.

The Councill appoints the guards to be visited every night by a baillie and every baillie attend wecklie, each baillie according to their degree.

September 19th.—Forty men to be on guard each night from ten p.m. to five a.m.

October 31st.—The haill absent members of Councill are fined in 32s. Sc. each.

The Committee find that the lists of the towns men will make up nyne guards, consisting of 40 ilk guard, that the hours be nine p.m. to five a.m. and the penalty for ilk absent 40s. Sc. without a reasonable excuse. The magistrats to visit the guards weekly and to see their duty sett.

November 7th.—Sixteen march stones to be led to the bounds of Mostowie and eight to the bounds of Main and Strathcant.

The Councill appoint a general rendevouze of the haill inhabitants to be had and them to make appearance with their best arms Thursday next at ten a'clock forenoon at beat of drum in the Trinity Churchyard.

November 21st.—The following order from the Deputy-Lieutenants of Murray was presented, directed to the Magistrats and Toune Councill of this Burgh. It is ordered to be kept by the clerk and ingrossed for the Magistrats and Councill's direction:—

"Gentlemen, Being informed that incouraged be the rebellion now a foot the brewers and other inhabitants of your burgh liable in publick taxes insult and refuse to admitt the proper officers to ingather the revenue and on the other hand having notice that certain emissaries are

dispatched from the Rebels' camp with orders from their pretended generall to levy the publick moneys and collect some new unheard of taxes, we judge it proper to admonish you of your duty requiring you to aid and assist the proper officers imployed in his Majesties service to uplift the severall duties imposed by act of parliament as ye shall be answerable and discharging you to permitt or suffer that any taxation or moneys for the service of the rebels' armie be by any person or persons uplifted or seized from any person or persons within your burgh, certifying you that if in the premises you faillie we will demean you as traitors and rebells against his Majesties government. Given at Invernes this sixteenth of November, 1715, by the Honorable James Brodie of that ilk, Hugh Rose of Kilraick, Captain George Grant of the Earle of Forfar's regiment, Alexander Brodie of Lethin, Mr. Duncan Forbes, advocat, Deputy Lieut^s. of the Shire of Murray, subscribed thus: Ja: Brodie, Dun: Forbes, A. Brodie, George Grantt, H. Rose. Directed to the Magistrats and Toun Councill of Elgin. A. Dunbar, p."

November 26th.—The absent members fined.

The Earle of Sutherland's taxation. The provost represented that ther had been a meeting of the gentlemen of this shire with the Deputy Lieutenants thereof at Forres Tuesday last when the said Lieutenants in name of the Earle of Sutherland Lord Lieut. of the Shire of Elgin demanded a supply and taxation on the shire for £1000 stg. which the Heretors of the shire had agreed and proportioned this burgh to £76 stg. of the said taxation which is to be payable against the 1st of December next. The Councill agree to stent it thus: on the real rent of the land, the real rent of the houses and trade and that heretors have relief of their tenants and masters right to retain the tenth part of their servants' fees.

1716.

January 16th.—The Provost present at this meeting. At next meeting—February 13th—Bailie Wiseman is elected preses because of the provost's absence. At the following meeting—February 27th—the provost is present.

February 13th.—The preses represented that ther is about 500 horse of his Majesties forces coming to ly in this toun and desired the Councill

might order suitable provision for stabling and provender to the horses. The Councill agree. Those having corn and straw to thresh it out with all diligence. Workmen to be set to work to make hecks and mangers as several of the houses for the horses want these.

March 26th.—Ther being a complaint made to the magistrats by the Burgesses of the extravagant rates for peats and all vivers exacted by the countrey people from the Townsmen on occasion of the forces lying here the Councill for remead therof and reducing the rates of fyring and vivers to the accustomed prices Doe statute and ordain that none of the burgesses presume to buy any fyring or vivers coming to the mercats of this burgh and in use to be sold there until the same be presented to the publick mercat place under pain of being punished as forstallers and do nominat Baillie Charles and Andrew Dick or any one of them as overseers of the mercats eastward of the Lossie Wynd and John Hay and John Duff or any one of them as overseers of the mercats bewest the said wynd and give to them full power to sett prices on all fyring and vivers presented to the mercats and if any burges exceed or overbid the prices so to be sett doun by the said visitors they are to be fined at the Council's arbitriment.

April 9th.—The Councill considering that the inhabitants of this place have as yet got no reparation of the damnages sustained by them through the rebellion do ordain that the accompt of the said damnages be sent up to London to Coll: Campbell, the toun's representative in Parliament, in order to procure redress and that the Magistrats and the clerk send of the same with a letter to Coll: Campbell next post day.

James Taylor, one of the toun's officers having been imprisoned in the laigh tolbooth by the Magistrates for his accession to the escape of Roger Aitoun yr. of Inchdernie out of the prison of this burgh and the said James Taylor having petitioned this day to be admitted to baill and sett at liberty because he is extreamly ill of the gravell the Councill ordain the said James Taylor to be sett at liberty on his finding caution for 500 merks.

April 16th.—Quartering is intimat by Serjant Armorer for £38 15s. Stg. of cess due by this burgh 29 of September last, and preceeding. The matter to be componed with Serjant Armorer, comander of the partie quartering.

May 14th.—The Councill ordains a publication to be made by drum, discharging all the inhabitants fra suffering their cattle or sheep to travell through pasture or any ways damnise their neighbour's grass or corns.

The hecks and mangers lately made at the toun's expense for the use of the regiment of dragoons which lay here to be sold by roup.

June 25th.—The hecks and mangers made for Carpenter's Dragoons comprised to £38 14s. Sc. and sold for £40.

The feuars of the Cattaills forbidden to cast peats except in ditches and stanks for draining the ground.

Kenneth McKenzie represented that several of the inhabitants have cut the highway outwith the West Port which being sandy may prove dangerous by overflowing the adjacent lands.

The marches between the toun and Main to be ridden Thursday next.

July 2nd.—James Taylor readmitted officer, as the other two officers are not able to discharge the duty now in the marching and countermarching of the troops.

August 27th.—The Councill appoints Master Archibald Dunbar of Thundertoun, provest, his accompt of his Commissioners' fies as representing the burgh in the Royall Borrows for three severall conventions extending in the heall to £300 Sc. to be paid.

September 17th.—A popular election being ordered by his Majestie in Councill of 17 common Councillmen for this burgh of Elgin to serve from the day of their election until the usual term of Michaelmas election 1716 and which 17 persons are ordered to elect their office-bearers in common form, a poll to be taken of the burgesses who scot, lot and reside in this burgh at sight of these overseers: Alexander Dunbar of Bishopmiln, Sheriff principall of Murray, Mr. Duncan Forbes, advocat, Coll. William Grant and Ludovick Grant of Knockando. Mr. Archibald Dunbar of Thundertoun is elected provost.*

* The following is a copy of Minute of the Privy Council of date 25th June, 1716:—

"At the Court of St. James's the 25th of June 1716 Present The King's most Excellent Majesty in Councill. Upon reading this day at the Board a Memorial touching the most proper and effectual Method of Resetling the Magistracy of Severall Towns in North Britain, in such manner as may most Contribute to the restoring of the Peace of those Towns and to the securing thereof for the future: and it having likewise been Represented to his Majesty that severall Burghs in North Britain were at Michaelmas last [the Ordinary and Legall time of their Electing Magistrates] either entirely hindered from making such Elections, according to their severall Constitutions or that where the Formality of Elections was Observed being then under the power

September 24th.—Second election of Council, &c., for the year 1717. Thundertoun continued as Provost.

October 2nd.—Letter to the Magistrats presented from the Commander of the four companies of my Lord Irving's regiment now lying in this place desyring the toun might furnish two sentry boxes, a guard room with candle and fyring and a wooden horse* for punishing transgressing soldiers, to all which proposalls the Councill agrees.

Overseers of mercats are appointed as the country people exact extravagant rates for peats.

October 22nd.—Kenneth McKenzie, late treasurer, gave in to James Cramond, present treasurer, the two silver communion cups belonging to this burgh.

October 25th.—The Councill considering that by a late Act of Parliament intitled an Act for securing the Peace of the Highlands all keeping or wearing of any arms of any sort is prohibited and discharged excepting the persons who are allowed by the said Act to keep arms and allowance is thereby given to Magistrats of Burghs royall to keep 200 stand of arms in a publick storehouse for the use of the burgh, Do therefor ordain all the burgesses and inhabitants of Elgin to give in their firearms and other weapons of any sort to be kept in a storehouse

and Impression of the Rebells the freedome of such elections was thereby restrained and the Burgh of Elgin in particular having laine under such or the like circumstances: His Majesty in Councill taking the same into consideration is pleased to Order and it is hereby Ordered that a popular Election be made by the Burgesses and Inhabitants resident within and bearing a share of the Common Burthens of the said Burgh of Elgin by Poll of Twenty One persons to be Common Counsellors with powers to them to elect their office bearers according to the sett and constitution of the said Burgh to the end that the Magistrates and Counsellors so elected may continue from that time forward untill the ordinary time of the annuell change of the Magistrates and Counsellors of the said Burgh in the year 1716 and it is hereby further Ordered That William, Lord Strathnaver, Simon, Lord Lovat . . Dunbar of Bishopmilne, Sheriff of the County of Elgin, George Munro of Culcairn, Alex^r. Gordon of Ardoch, Colin Grahame of Drenie and Hughe Baillie, Principall Sheriff Clerk of Inverness, John Forbes of Culloden, Alex^r. Abercromby of Glashaugh, J^s. Grant of Elchies, Coll. Willm. Grant, Ludovick Grant of Knockando, Mr. Duncan Forbes, Advocate, Robert Urquhart of Burdsyards, Robt. Dunbar of Granghill and David Dunbar of Dumfarl or any three of them shall and they are hereby Authorized and Required to convocate and Assemble (giving due intimation thereof) the Burgesses and Inhabitants aforesaid within the said Burgh at a certain Convenient day in the Month of September next; to be by them appointed; and there and then to Oversee and Direct the said Election according to the Rules in use to be Observed in such cases; and to Forme an Authentick Instrument thereupon under their subscription Manuall to be reported to his Majesty in Council for his Royall Confirmation: of all which the Persons before named, and all others whom it may concerne are to take notice, and to pay due obedience to his Maj^ty's Pleasure herein signified.—ROBERT HALES."

* Cf. I., 129, *Annals of Banff* (New Spalding Club) and "Edinburgh in the Olden Time," 1717-1828.

for the publick use of the Town within the tolbooth and certifying that if they keep up their arms they will be made lyable to the penalties in the said Act of Parliament and the said arms are to be kept in the said storehouse untill the government's pleasure be farder known theranent.

November 5th.—The highway lately made through the Cattails is convenient for the town therfor all having horses and servants to send them one day to repair it.

November 12th.—Approbation (of date 18th October) by His Royal Highness the Prince of Wales in Council of the late popular election of Magistrats and Councill.

1717.

January 7th.—The Councill ordered the treasurer to pay William Crombie, merchant, £34 12s. Sc. for corn and straw furnished by him to General Wightman's horses in February last in respect the General refused to pay the same and the same is to be stated in the accompt of Damages sustained by the forces.

William Crombie presented two accompts due by the toun to him and spent with the gentlemen who oversaw the popular election in September last amounting to £69-9-4 Sc. which accompts were read and approven by the Councill and ordered to be paid.

March 27th.—Hugh Crombie elected conjunct Town Clerk in place of James Fraser, whose office is void by his being engaged in the late Rebellion and his non-attendance at Courts and Councills these twelve months past and upwards.

May 13th.—The Contract with the masons for the four vaults of the tolbooth and the pricket was £1000 Sc. and three chalders victual. They have built an additional fish vault for 500 merks.

Alexander Dunbar of Bishopmiln compliments the town with a fine chair which is planted on the top of the oval stair of the new tolbooth, for which the treasurer is appointed to return him thanks.

June 5th.—Decreet arbitral betwixt the Councill and William King.

June 24th.—For the conveniency of the inhabitants in the west end of the town the Councill appoints the tolbooth bell to be rung every night at 8 and every morning at 5.

November 11th.—William Shiels, surgeon, tacksman of the Petty Customs, states whereas during the rebellion which fell out in the moneth of September 1715 the mercats of this burgh were interrupted and unfrequented untill the moneth of June 1716 and in the said space he only collected the sum of £325 Sc. of the petty customs which falls short of that year's tack duty of the sum of £188.

December 2nd.—Statutes revised. The words "that there be no shutting of beef" ought to be razed and expunged in respect that the same is ane old obsolete word not generally understood.

The price of the tolbooth bell—£276 Sc.—paid to Albert Gellie.

December 23rd.—The Council order to be taken down the gavel of a Tillielumb in Baillie Dunbar's closs as being hazardous.

1718.

January 27th.—*Act for a custom on Country malt.* The Council considering that the publick cess of this burgh as it is presently rated in tax roll of the Royal Burrows is far above the proportion which the burgh can bear since there is no foreign trade within this town and also considering that the trade of malting within this burgh was once a valuable branch of trade and is now much decayed by the considerable quantities of malt brought from the country and vented in this burgh although the maltmen of the town are still heavily assessed for that trade and that they have little or no consumption of malt sold within the town and that the town's brewers pay no cess as such nor the country maltmen pay any publick dues for that branch of trade therefor henceforth all malt brought into this burgh shall be sold only in the meal mercat in the lowest story of the new tolbooth betwixt 8 in the morning and sunsett and the seller shall pay 5s. Sc. of ilk boll of petty custom.

February 3rd.—Twenty men appointed to keep guard each night from nine till six.

March 10th.—The Council considering that the town and country are at a loss by the want of ane expert ferrier doe therfor impower Baillie Wiseman to writte to Henry Smiell late printice to Robert Campbell, ferrier in Edinburgh to come and reside in this place to practise the said trade and for his incouragment in the Councill's name to assure him that

they shall be at the expence of transporting himself, wife and tools by sea from Lieth to Spey or Findhorn, that he shall be made burges of the town and freeman among the Trades gratis and that he shall have fourty or sixty Pounds Scots advanced to him in loan.

The marches of Muirytack to be perambulate upon Saturday nixt at 8 acloack in the morning and all the burgesses to be advertised to attend by tuck of drum under the penalty of three pounds Scots each absent and intimation hereof was instantly made to Bailie Wiseman present heritor of Muirytack.

Anent a coal heugh. The Council considering that there is some probability of finding out a Coal heugh in the muirs belonging to this burgh lying besouth the moss thereof and that it is judged the most easy and expedient way for attempting the discovery of the said coal will be by digging a pit from the surface of the said muir severall fathoms downward and since the common good of the burgh being presently incumbered with severall debts is not able to defray the expence therfor the Councill judge it reasonable that the said expence be carryed on by a voluntary subscription of the burgesses and inhabitants and all the members of Councill present for a good example to the other inhabitants they presently subscryved a paper for a voluntary contribution to the forsaid work and earnestly recommend it to the Bailies to goe through the town and procure such other subscriptions for carrying on the said work as they can gett.*

March 17th.—The bounds of Muirytack were perambulat Saturday last and the bounding exposed as it stands in Robert Gibson of Linkwoods, fevar (=fewar) therof his precept of Clare Constat in 1686 and recorded in the Town's Register of Sasines that year. It appears incroachments are made by tenants of James Wiseman, now heritor of Muirytack upon the muirs belonging to the burgh, outwith the bounds of Muirytack. The said encroachments to be redressed.

March 31st.—The cess due for Robert Gibson of Linkwood's land in Lazarus Wynd is now paid up.

This day a contract was read in Council, past betwixt William Geddes, merchant, collector of the Voluntary Contribution for discovery

* Cf. Statistical Account of Scotland *sub* Fordyce (1792), where it is stated that boring for coal was made at Glassaugh, both by General Abercrombie and his father, but no coal was found.

of a coal heugh in the muirs belonging to this burgh and James Ross, George Ogilvie, and John Lawrie, masons, to which contract the Councill agrees.

May 12th.—The Council appoints the four bailies a committee to draw up a representation of the decay of the several branches of trade within this burgh 'gainst the meeting of the commissioners from the several burghs appointed by the Generall Convention.

June 2nd.—The weather cock of the tolbooth is sent to Inverness to rectifie because it did not answer the wind. Paid Andrew Kilgour £33 18s. for his pains and the charge of mending the said weather cock.

June 9th.—Henry Smeill, ferryer, having come to this place is admitted burges and freeman and allowed the privilege of the ferryer trade and shoeing of horses without application to any of the Trades.

The brewers and retailers of wine are now to be stented being it is apparent to the Councill that all said retailing of ale and wine is a profitable way of living and that ther is no foreign trade in this burgh to support the burden of the town's cess.

The Bounding and Marches betwixt the Town of Elgin and Lands of Mayn, taken from a Contract of Marches betwixt the Magistrates of Elgin and Heretor of Mayn [date not given]. Beginning at the standing stone that divids the lands of Maine frae that part of the hard land of Elgin called the Floors whilk stands in the north end of the dyke beeast Knockmasting and passand lineally south therefrae to ane stone put in the pott casten upon the west side of the westmost stank of the wards of the mosses and passand therefrae lineally south through the end of the said mosses to ane other stone in the edge of the moore of Elgin benorth the litle gate that passes east and west the said mosses edge and fra that stone west as the said litle gate goes into the king's high gate that passes from Turnagounie to Birnay upon the east side of the whilk high gate and end of the said litle gate ane stone is sett and fra that southward still keeping the said broad gate whill it come to ane cross gate at the laboured land ends of Aikenhead whilk passes west to the common loan that was betwixt the moores of Elgin and Grieshop lands therof bewest the water of Lossie at the end of the whilk cross gate there is a stone sett on the west side thereof and frae that stone westward frae stone to stone sett on the hight of the knoues betwixt the cotter houses and tilled land of Aikenhead and frae that north west whill it enter in the water of

Lossie where ane stone is sett in the east bank thereof and frae that athort the said water and up with ane peice on the west side thereof whill it enter the old loan that passes frae the saids moores to the said grieshop land and frae the said loan side northward as the green mearing lyes whilk pñtly devides the peice land called the Sherrif crook pertaining to the lands of Maine at the east and the lands of Bailliefield pertaining to the Toun of Elgine at the west and fra that crossand the said water of Losse to ane stone sett in the south end of the wester dyke of the Short Boig divideing the said Boig frae the lands of Pedifield and passand northward therefrae as the said Wester Dyke goes athort the said water of Lossie to the eastmost part of the lands called the Linthauch where ane stone is sett and therefrae athort the said water again to ane stone put on the east side of the said water of Lossie at the lands of Maine and therefrae discendant the said east side of the water of Lossie untill ane other stone on the said easter side of the water devidand the saids lands of Maine and that part of the hard land of Elgin called the Palmer Butts and frae that eastward frae stone to stone untill it returne to the first stone in the nook of the Dyke of Knockmasting at whilk [blank] west to the water of Lossie both the saids parties condescends that there shall be 4 foot of ground left waste and ley betwixt them to witt two foot on ilk side of the stone to be ane common foot passage to honest men to visite their corns and fields and the saids provost and baillies and councill of Elgin be the tenor hereof condescends, agrees and declares that all and whatsomever is within the saids marches and meithes as is particularly above rehearsed is, was and shall be the proper lands of Maine and Aikenhead pertaining heretably to the said Reverend Father* . . .

Marches betwixt the Lands of Mostowie, mos therof and the Lands of Aldrochtie, Innerlochtie and Whitefield, Monachtie and Mosses therof, 15th July, 1652. The said day the marches of Elgin visited be the Magistrats, Councill and community. The first march stone was at the west end of the lands of Oldroughty upon the north side of the high gate as they goe to Forres from that lineally southward to ane stone upon the stank side at the end of the butts whilk stone is now removed but the place where it stood evidently marked and now potted from thence due south to ane

* Rev. Joseph Brodie of Mayne is probably here referred to. He was a son of David Brodie of Brodie, and became minister of Keith in 1631, and of Forres in 1646. He died 1656.

other removed stone on the burn side from thence south-west to the hill called the Whitehill and the rodway that goes over it from thence south and west alongs the old rin of the Burn and finding it stopped near the end of the arable land of Mostowie they did let it out again in to the old rin from thence south ward to ane march stone [blank] from thence south ward alongs the strype called Collkillack to ane other stone in the north west [blank] from Whitefield to the mosses of Mostowie from thence south to ane other stone at the entrie of the moore beneath Whitefield from thence to the steane called the sadle stone upon the north side of ane stripe that rins in ane slack from thence just westward to ane litle know where there is a stone called Gibon stone from thence due west to ane other stone upon ane knowhead called the Mare stone with ane rift in the midle and ane hole in the syde from thence northward to the steane [blank] and the carne of [blank] from thence north west and north and north east be the hill called the Langhill till they come where the swan tree burn runes in in Lochtie from thence down Lochtie to the north west nook of the [blank] hills from thence east to ane stone at the head of the Arne burn of Mostowie from thence east to the red stone besouth the Milndam of Mostowie from thence east to ane stone in the dam from thence north to ane stone upon a hillack a litle south west beside ane litle loch . . .

Marches betwixt the Lands of Linkwoods and others and the Town of Elgin, 2nd August, 1652. The said day the east marches of Elgin were visited by the Magistrats Council and burges. The first march where sometime there was ane stone is a litle benorth present run of Tayock two pair of butts beeast the way that goes to Linkwood, the second is south and south east where umq^{ll} Gilbert Thom his kiln stood from ane other stone upon the top of the hill near to the same from alongst a high way south and west to a hole where a stone was within a pair [? of butts] to Alexander Cumming's cotts theron from thence due west to ane stone in the ground of the dyke of the said yeard from thence south west to a stone upon a hill upon the north side of the burn of Linkwood from thence alongst that little hill head as it goes south west from thence south west to the top of another litle hill upon the brink of the said burn where sometimes there was ane stone but faln by the water from thence to ane hole where ane stone was near the hill called the Tod hill from thence to ane standing stone upon the east side of the way that runs from the south northward alongst the Longhill and besouth the end of the said hill.

August 4th.—The magistrats reported that upon 26th July they with several of the burgesses and inhabitants had perambulate the marches betwixt the town and the lands of Linkwoods conform to the bounding subjoined to the former sederunt and had found some incroachments for which there is a proces depending before the Lords against James Wiseman and others.

The Council find the Provost in July last paid three years Æques amounting to £67, one year's missive dues amounting to £66 12s. 4d. his fees as commissioner to the burghs from 24th June to 17th July £72, item of extraordinaries in treating several members of the Convention and advising with Robertson of Gladney anent the Coal pitt £36 item horse hyre south and north £20.

August 18th.—The Council grant a receipt for 45 pieces of boreing irons borrowed from his Grace the Duke of Gordon for the discovery of coal.

October 6th.—The Councill appointed John Fenton, bailie, to be session bailie for the ensueing quarter with power to him to punish all immoralities according to the laws and acts of Parliament now in force and whereas the ministers and church session have represented to the Council the many licentious profanations of the Lord's day and practised within this burgh by haunting of taverns and alehouses in time of divine worship and after close therof, idle and unnecessary vagueing in the streets and sitting under forestairs either in time of divine worship and after close therof the Council for restraining any such abuses and for giving all due concurrence for suppressing vice and immorality, doe appoint ane intimation to be made by drum through this burgh dischargeing all and sundry the inhabitants whether masters or mistresses of familys, printices or servants or any other private or single person whatsoever whether men or women to use any of the forementioned bad practices or profanation of the Lord's day under the penaltys contained in the Acts of Parliament made theranent and appoints parents to be lyable for their children and masters for their servants and for furder restraining the said abuses the Council appoints two of the Town officers ilk Lord's day to goe allong with such of the Kirk Session or others who attend at the offering or any member of Council who shall be thereto appointed to take notice of all abuses and profanations that may be done contrary hereto and they appoint any of the magistrats for the time being

session bailie upon information and proof led before him of any such abuses to cause punish the delinquent in terms of the Acts of Parliament aforesaid.

November 3rd.—The south east and south west wings of the Bridge of Lossie need reparation.

Guard rolls to be drawn up. Each guard to consist of 20 persons. To guard from 9 p.m. to 6 a.m. Absents to pay five pounds Scots each.

1719.

January 26th.—A draught of a design for a bellhouse and spire for the church steeple of this burgh drawn up by Mr. Smith, architect. On consideration the pyramid designed for the church is put of until the town be able to defray the charge.

April 13th.—Intimation to be made by tuck of drum to the inhabitants that they keep their cattel off their nighbours' lands in terms of the 16th statute of this burgh.

April 27th.—The magistrates represented that the present circumstances of the affairs of this nation require that for the publick service of the government all the powder in this burgh should be taken up and secured. The following was lodged in the fifth vault of the tolbooth for the public service and receipts granted to the owners: 38, 15, 9 and 38 lbs.; in all 100 lbs.

June 29th.—The inhabitants who have horses and carts to give a yoking to lead sand and stones to mending the high way leading from the Marywell brae to Old Milns it being impassable in rainy or winter weather. The high way leading from the east by the bridge of Shearerstoun is by the stagnating and inundation of the water there in speats and winter weather impassable which hinders the country people from access to the mercats. Each inhabitant required by the Magistrates is to work one day with a spade or furnish a spademan for said work under the pain of 6s. Sc.

September 7th.—Broadswords are delivered to the four officers for which there was paid £10 12s. Sc.

September 22nd.—Hugh Crombie is elected conjunct town clerk *ad vitam aut culpam.* [He died before 19th October.]

October 5th.—The Council contribute two guineas to the burgh of Nairn for repairing their bridge and rebuilding their tolbooth lately burnt.

Alexander Dick, senior, glover, having intimat to the Town Council his inclination of mortifying 1000 merks Sc. to the poor of the toun and parish of Elgin the Council appoints the provost, any of the baillies and clerk to meet with Alexander Dick and with William Duff of Diple, proprietor of thirteen crofts anent the sale therof for consumating the said pious design and to report next Council day.

The Councill appoints the baillies to go each of them through a quarter of the town and take up exact lists of all the inhabitants and at the same time to search for lint in firehouses and where found to confiscat the same and fine the transgressor conform to the town's statute.

November 9th.—William Shiels, surgeon, being the only offerer for a three years' tack of the petty customs is accepted at £512 yearly.

November 30th.—For a three years' tack of the Hospitall Croft belonging to Pitullie's Mortification James Anderson offered £22 Sc. yearly.

[Deed of Mortification by Alexander Dick, glover, to the poor of Elgin for 1000 merks Sc. here recorded. The magistrates and ministers of Elgin are patrons and are to have a special regard to decayed tradesmen and their widows and orphans.]

1720.

January 18th.—The magistrats presented a letter to them from Sir David Dalrymple his Majesties advocat bearing that he had a particular order from the King signified to him by his Secretarie whereby it is appointed that the said Magistrats do forthwith give direction within the burgh of Elgin for putting the laws in execution against all non-juring Clergy within their jurisdiction and the Council being credibly informed that Mr. Alexander Cuming a nonjuring Episcopal minister doth preach, pray, administer the Sacraments and do other acts of the ministerial function in this burgh without the qualifications requisite in law therfor the Councill unanimouslie resolve that the said Mr. Cuming be prosecute and tryed befor the Magistrats with all speed for his said offences and appoints a lybell to be drawn against him at the town fiscal's instance for that end.

January 21st.—The Councill considering that Mr. Alexander Cuming, the Episcopal preacher, is not a fixed residenter within this place cannot prosecute him till they fix him within the town's jurisdiction but in the mean tyme appoint the magistrats to make a return to my Lord Advocatt's letter bearing that they will prosecute the said Mr. Cuming how soon they can find him within ther bounds.

February 15th.—No draff or dung to be transported out of this burgh under the penalty of £5 Sc. ilk transgressor.

The Councill doe ordor George Wilson, thesaurer, immediatly to sett about buying of ten duzon of dealls for lofting and flooring of the room in the tolbooth bewest the Courthouse in ordor for makeing the same ane handsome and convenient Councill house.

March 28th.—Alexander Smith appointed conjunct clerk *ad vitam aut culpam.*

April 11th.—The Magistrats to write Mr. Campbell their representative in Parliament to lay befor the Parliament the town's claim was levied out this burgh in 1715 by the Earl of Sutherland's order which claim amounts to £188 2s. 6d. Stg.

Upon application made by some Invernes merchants that severalls of ther men as merchants and mariners are taken captives by the Sally roavers the Councill for ther redemption appoint £3 Stg. to be given.*

April 18th.—The Magistrats and Council appoint James Cuming, officer, to be putt in close prison and irons dureing the magistrates' pleasure for his being accessorie to the escape out of prison of Janet Master, spouse to James Smith, smith, who was imprisoned for the crime of theft.

May 9th.—The Councill considering that the foun's best mortcloath is old and much woren therfor impower the magistrats to commission to Holland and buy for the toun's use a fine mortcloath of good velvet.

The Councill give the ease of half the rent of the Mariewell grass for the year 1719 in consideration of the loss sustained by the forces in their passing.

June 13th.—Agreement with James Brown, clockmaker, at Aberdeen to make and build ane sufficient and weel goeing clock in the steeple of

* Cf. "The Pirates of Barbary in Scottish Records," by W. Cramond, pp. 172-182; No. 44, *The Scottish Antiquary* (April, 1897); also *Records of Convention of Royal Burghs*, Vol. I., 122, 124, &c.

the tolbooth with two diall plates and that for £18 Stg. to be paid out of the vacant stipends for 1716 and, if necessary, the common good.

July 4th.—James Tylour and James Mill, town's officers, who were put in irons and turned out of their offices for disobeying Baillie Cramond when he was insulted by ane inhabitant of the town, now begging the Council's parden are reponed to their offices and their coats returned to them.

September 12th.—The Councill appoint Colonel Campbell, their representative in Parliament, to sell in London the share allotted to them in the Royal Fisherie of England which was £3000 Stg.

October 10th.—Robert Innes of Blackhills and his tenants allowed for one year to win and lead away lyme stones from muirs belonging to the town besouth the town.

November 14th.—Several of the inhabitants complain that the tacksmen of the Old Milns unduly exact multure under the name of knaveship to the millers whereas by agreement with the town and the Heritor (Diple) the multure of all grains is fixed to the $\frac{1}{17}$ part. The Councill are to demand redress of the heritor.

December 13th.—A Head Court to be held on the 19th inst. to determine whether the inhabitants incline to debate the matter anent the Old Milns legally with Diple who declines to accomodate the affair.

1721.

January 9th.—Robert Innes of Mondole is now prisoner in the tolbooth for civil debt. William Cuming in Wester Alves offers to relieve the town of all skaith if he is not kept a close prisoner. The Councill allow him in the day time to walk in the Courthouse or room bewest the same.

The masons' charge for building the tolbooth is £4000 Sc. Item in victual three chalders (48 bolls).

January 16th.—The Councill being informed by some of the burgesses that ther appears to be a gang of villains in town who are attempting every other night to break open the merchants' shops do appoint that every night twelve of the townsmen keep a nightly watch and patrole in the streets for preserving the inhabitants from house and shop breakers.

The Magistrats are appointed to write Colonel Campbell, their representative in Parliament to solicit the payment of the accounts due to the town while the Earl of Sutherland and the army under him lay here in December, 1715.

May 1st.—The old pit in the tolbooth to be set up as a shop. The keys of the prison where Mondole and Aldrochty are were delivered to Andrew Russell to keep them in close prison because the letters of caution expire this day.

July 10th.—The Councill considering that the highway leading to this burgh from the south through the middle of the Cattaills and through the Moss Wynd to the School port is much spoilt with the late rains and often impassable by horses and carts to the prejudice of the town and burgesses do ordain the said road to be amended and made up with gravell, stones, whins or other materialls necessarie and for that end appoints the whole inhabitants who have cart horses to attend and assist at the said work as they shall be warned with their horses and carts or sleds under penalty of half a crown ilk absent.

December 4th.—It being proposed by the Magistrats that they had ordered their representative in parliament in name of the Town Council to apply for an Act of Parliament for two pennies Scots upon ilk Scots pint of ale brown, vented and sold in publick houses in Elgin in taverns and alehouses for sale for the space of nynteen years to be applied for building an east pear at Lossiemouth and compleiting the pear on the west side therof, mending the highways leading from Elgin to the said harbour, repairing the church and steeple of Elgin and paying the town's publick debts. The majoritie of the Councill impower the magistrates to prosecute said affair.

1722.

February 5th.—Additions to the Alphabet of Pettie Customs: Each horse pack of roll tabacco to pay 10s. Sc. of custom and each transient roll of tabacco 8d. Sc. &c.

February 19th.—£27 Stg. to be paid to James Brown, clockmaker, for the tolbooth clock, it being well going and an eight days' clock.

March 26th.—The vault under the Little Kirk sett for three years at the yearly rent of £9 13s. 4d. Sc. The vault in the laigh tolbooth called the Pitt sett for three years for the yearly rent of £4 3s. 4d. Sc.

Inhibition to be sent for against the Laird of Westfield for the debt he owes to the poor of Elgin mortified by Alexander Dick.

May 3rd.—Peter Russell, writer, elected Collector of the duty of 2d. Sc. allowed by Act of Parliament in favour of this burgh on ilk Scots pint of ale or beer brown, brought in or vended for sale within the town of Elgin. He is allowed £20 Stg. of salary for the first year, £15 for the two following years.

[Copy of the foresaid Act of Parliament here recorded.]

"Whereas the town of Elgin in the County of Elgin and Forres in that part of Great Brittain called Scotland is a very ancient burgh and now labours under the burden of large debts which have been very much increased by the contributions and other extraordinary charges and expences the inhabitants thereof were put to during the late unnatural rebellion by means whereof severall publick works tending to the benefite of the said town remain unfinished and are out of repair which debts the said inhabitants are unable to discharge or to compleat the said publick works for want of any sufficient revenue for that purpose and whereas the banks of the water of Lossie are insufficient and the channell of the said river is filled with sand which occasions it to overflow its banks to the great prejudice of the neighbourhood and the harbour of Lossie belonging to the said town and lying at ane small distance from it being in a very ruinous and decayed condition which if not repaired will be to the manifest prejudice of all persons trading in the Murray Firth as well as to the said town and whereas the publick stock of the said town is so very small that the inhabitants are rendred altogether unable to carry on, compleat and maintain the necessary works aforsaid without some other provision be made for that purpose. To the aide thereof that the debts of same Toun be paid and discharged and the publick works thereof finished and compleated, That the banks of the river of Lossie may be repaired and made suficent and the chanell cleared of sand or gravell so as it may not overflow the banks or return up the run of the Loch of Spynie and that the said Harbour of Lossie may be inlarged, improved and repaired so as that the samen may be made fitt and commodious for navigation and trade and for the common

good and benefit of the said toun and other persons tradeing thereto . . . Be it enacted . . . that from and after the five and twentieth day of March, I^M. VII^C. and twentie two years for the terme of ninteen years . . . their shall be layd ane imposition or duty of two penies Scots or the sixth part of ane penny starling (over and above the dutty of excyze) upon evry Scots pint of ale and beer that shall be for sale either brewed, brought in, vended or tapped within the said toun or priviledges thereof . . . payable by the brewers, sellers and tapsters . . . to the Majastrats and Town Council . . ."*

June 25th.—Robert Innes, late provost, is elected to represent the Burgh at the ensuing Convention of Burrows and allowes him the ordinarie and former fees from the down sitting of the Convention to the upriseing therof and allowance for four days outgoeing and four days homecoming with the ordinarie horse hyre south and north.

The Council, considering the process raised against them in the Court of Session by Robert Rhind, wright in Elgin and his adherents is malicious, resolve that the charges be born upon the Town.

* Among the town's records is "A Register and Record of the Proceedings of the Majastrates of Elgin and of the Gentlemen overseers of ane Dutie of Two Pennies on the Pint Ale granted by Act of Parliament To the Burgh of Elgin for Nineteen Years space begining the 25 of March, 1722 years."

The Town Council of Elgin were appointed Trustees to expend the money collected and the following were appointed Overseers to meet on the first Monday of August annually to examine the accounts of income and expenditure: Alexander Brodie of Brodie, Sir Robert Gordon, Bart., Sir Henry Innes, Bart., Joseph Brodie of Milntown, Robert Urquhart of Burdsyards, James Brodie of Whitehill, Colonel William Grant, Alexander Cuming of Rosehill with the Parliamentary representatives of the county and burgh. Peter Russell, writer, was Collector for the first three years, Thomas Sinclair for the second three years and then Thomas Purse was appointed. The Collector's salary began in 1722 with £20 but fell to £8 5s. in 1728. The Overseers began their work with energy. On 12th September, 1723, they met and called upon the Magistrates to submit an exact statement of their debts prior to the passing of the Act. Next day the Collector and his cautioners not appearing at the meeting the Overseers fined Peter Russell £10 Sc. and ordained him to be imprisoned till payment be made. They find that Peter Russell has embezzled or unaccounted for £17 11s. 6d Stg. and other sums and order these to be paid. Three weeks later the Collector's cautioners are imprisoned. They petition for release and are freed for a few days in order that they may confer with the brewers. No meeting is recorded from 1723 to 1729. At a meeting of Overseers held on 29th October, 1729, the Magistrates petitioned the Overseers to adjust the accounts for the previous seven years. The income for these seven years was found to amount to £783 Stg. The meeting allow Alexander Gordon of Dykeside's account for repairing Cay's bridge on the way from Elgin to Lossiemouth which became ruinous in 1724, they also pass an account of £59 10s. 9d. for repair of the Beadhouse and £105 7s. Stg. being debt due to Pitullie's Mortification and 400 merks due to Dunkintie for casting the Kirk Bell. Other sums allowed were £13 6s. 9d. to William King of Newmiln due his father per decreet arbitral, £38 3s. to Bailie Anderson for Tolbooth bell and balance due on School acre, £59 14s. due to the poor of the parish of Spynie, £25 due to Thunderton, £87 10s. to James Chalmers due by decreet before the Lords and £50 for repair of the bridge of Lossie. The income for the eighth and ninth years—£82 and £72—was applied chiefly to Lossiemouth harbour.

James Fenton, baillie, presented a recept from James Anderson shiriff depute of Murray for the body of Robert Farquhar, sometym in Ricketlone, now in Dunkinty, who was transported from the prison of Elgin to Edinburgh by virtue of His Majesties advocats warrand for forgerie.

Commissioner's fees to the Borrows fitted. The Convention haveing sitten sevin dayes and four dayes out and als many in, being allowed at a crown per diem with twentie punds of horse hyre amounts in haill to sixtie fyve punds Scotts money.

[Copy of the sett of the town of Elgin here entered in full with copy of the ratification by the Convention of the sett, of date 8th July, 1706.]

October 8th.—The Councill appoints the Baillies to go each through one quarter of the town and to make a search for lint that may be found in fire houses and to confiscat the same and ordains them to make up exact lists of all the inhabitants in the four severall quarters of the town and ordains the inhabitants for the preservation of the peace of the town, preventing fire, thefts &c. to keep guard within the tolbooth from nyne at night till four in the morning from this day till the Councill discharge the same at the number of twenty men for ilk guard under penaltie of 30s. Sc. for ilk guard and impowers the magistrats to name the captains of the severall guards.

November 5th.—Shutting acres, belonging to Darklen's Mortification set for three years for £83 10s. Sc. yearly to William Forsyth, glasier. Lyper land, belonging to Pitullie's Mortification, set for three years to William Shiell, surgeon, for £80 6s. 8d. Sc. yearly.

December 17th.—The brass weather cock that stood upon the head of the pyramid of the tolbooth rouped for 7s. 6d. Sc. per lb. weight. It weighs 57 lb.

James Cuming and James Nicoll, town's officers, having malversed in their office by suffering without any resistance Thomas Tulloch, apothecary apprentice, who was convict of a notorious ryot and affront done to Robert Innes, late provost, to escape out of prison after sentence, the Council degrade and remove them from office and ordains the town's livery coat to be taken from them.

The horse post office set for £20 10s. Sc. for one year.

1723.

January 7th.—The bow bridge upon Lossie bewest the town being in some part like to faill the magistrates are to inspect it and report.

March 25th.—*Herding of Cattle.* Intimation to be made this day by tuck of drum to all the inhabitants to keep of ther beasts from eating grass or corn, under the penalty mentioned in the town's statutes.

April 29th.—Robert Innes, late provost, appointed as Commissioner from this burgh to visit the state and condition of the burgh of Inverness along with Commissioners from Forres and Nairn, in terms of Act of Convention of the Royall Burrows in July, 1721, and the Councill allowes the said Robert Innes the ordinarie Commissioner fees used in the like cases with the ordinary horse hyre from this to Inverness and back again.

May 6th.—Mr. Wm. Shepherd, master of the Grammar School demits office. The Councill appoint the clerk to write a letter to the town's agent at Edinburgh to cause publish in the Edinburgh Courant that the Grammar School of this burgh is vaccant and to advertise all persons that are qualefied for such an office to repair to this burgh again the 25th day of June in order to undergoe a tryall and compet for the said Grammar School wher they will sett ane competent salary and other encouradgments to be insert in the Agent's letter.

June 17th.—The Councill considering that David Cuthbert, merchant in Portsoy, is prisoner in the tolbooth of this burgh on a caption at Drumuir's instance and arrested at Lachlan McKintosh, merchant in Inverness, instance for debts Do ordain that each night at nyne o'clock the key of the prison where the said David Cuthbert is be given by the town officers to one of the town Councill and the door then to be lockt nightly and the key kept by a Councillor till next morning at eight. Baillie Lyon is to keep the key for this week.

June 26th.—After public examination of three candidates the presbitrie recommend Mr. John Porteous as the most qualified man and therfore the Councill admitt him as master of the Grammar School, to serve for three years, and do intitle him to the sum of £110 Sc. as sallary yearly with the rooms above the school and his school fee to be a merk Scotts for ilk town's child and the double for ilk country scholar quarterly with the ordinarye casualities used and wont.

July 22nd.—The magistrats have bought from James Robertson, merchant, ane new fine velvet mortcloath consisting of nine elns and ane quarter for £9 12s. Stg.

Upon a petition from William Sheills, tacksman of the town's pettie customes the Councill doe order the thesaurer to give him ane stand of Dutch iron weights and a fruit peck for the use of the mercat.

The mosses of Strathcant and Glassgreen to be visited this week by the magistrates and burgesses.

August 5th.—James Anderson, who professes the trade of a brazier (which is very much wanted in this place) being recommended by worthie gentlemen for a settlement in the town for practising the said trade the Councill do receive him as burges and freeman of this burgh gratis for his encouragement to live and work therin at said trade.

September 2nd.—The Council did enter and receive John Duff merchant burges of Elgin as their vassal in ane auchten part of the Greiship land formerly belonging to Andrew Ogilvie and disponed by his son John Ogilvie to John Duff.

October 7th.—A comitee appointed to view what incroachments the deceast Robert M'Kain and John M'Kain, his sone, have made upon the grass of the Gallow Hill since it appears by an Act of Council dated 22nd June, 1696, that that grass belongs in property to the town and was sett at the forsaid tyme to the deceast Baillie John Donaldson for three years at half a merk yearly rent and to report. James M'Kain, merchant, being chosen by the Council a stenter of cess of this burgh for the ensueing year and he refusing to accept or even give his oath de fideli is fyned by the Council for his willfull disobedience in the sum of ten punds Scotts.

October 14th.—As the grass of the Gallowhill is found to belong to the common good John McKean is to be warned from said possession and to be pursued for the bygone maills.

October 21st.—James Anderson, a Councillor and Baillie chosen for the ensueing year qualified himself by swearing the oaths of Alleadgeance and Abjuration and subscriving the same with the Assurance.

Ludovick Brodie, writter to the Signet, and lately the town's Agent, presented an accompt due by the town to them, partly for the town's own affairs and partly for prosecuteing the poor's mortification of 1000 punds Scotts made by John Innes of Darkland out of the wadsett of Darkland

to the poor of Elgin, Birney and Longbryde. Ane comitee appointed thereanent.

Baillie Cramond delivered the keyes of the prison wher David Cuthbert lyes to Robert Duff, baillie, to be keeped be him to the nixt Councill. [Cuthbert seems to have been reapprehended for under same date the following entry occurs.] The Councill appoint the Magistrates to cause apprehend James Morgan, lately one of the town's officers, for his being accessorie to the escape of David Cuthbert out of prison, in order to a tryall. [Cuthbert was still in prison on 11th November, but seems to have been liberated by 24th December.] James Cuming re-admitted one of the town's officers on beging the magistrats and councills pardon.

December 9th.—The town is due the provost as Commissioner to last Convention of burrows amounting to 27 days from the day he sett out from Elgin to the day he returned inde ther is due to him £81 Sc. of Commissioner fees with £20 Sc. of horse hyre, south and north, with which accompt the councill is satisfied.

December 16th.—Thomas Purse, collector of the penalties for immoralities, his charge amounts to £96 and discharge £94 19s. 4d. Sc. (being sums paid to Session clerk, town and kirk officers for salaries).

December 23rd.—The Councill, considering that the Shiriff of Murray and his deputts have incrotched upon the toun's priviledges and jurisdiction by fynning severall of ther burgesses for ryotts and judgeing other civill actions contrair to the touns authority and rights wherein the toun is invested therfore they appoint the magistrats to search the cadgett and get some of the former hornings raised against the former Shiriffs founded upon the touns decreet anno 1540 and renew the same against the present Shiriffs and ther deputts in order to preserve the toun's jurisdiction and priviledges.

1724.

February 3rd.—A new horning has been raised against the Sheriff of Murray and his deputs.

March 16th.—The Councill resolves that the moneys presently in the treasurer's hands and what may arise again Whitesunday nixt of the

duty upon the two pennies of the pynt ale be applyed for payment of the mortified money due by the toun to the poor of Spynie made by the deceast Marie Bannerman, Lady Findrassie.

The magistrates are appointed to call for the writs and evidents of the rood of land formerlie belonging to Mr. Alex^r. Tod, minister, and now to the poor of Pitullie's mortification. [Received 6th April.]

A disposition from Issobel Chalmer, daughter to the deceased James Chalmer, in favours of the Hospital Master of one-third part of a croft dated 17th March, 1710, put in the cadgett.

The Councill ratify the right and sale of a seat in the high church sometyme belonging to Kinairdy and therafter to John Lawrie, meason, and by him sold to Robert Leslie, wigmaker.

May 11th.—The Councill, upon a complaint from Alexander Roust, master of the musick school, upon Elizabeth Cheyn for teaching in a privat school vocall and instrumentall musick, do order the said privat school to be suppressed as prejudiciall to the publick school.

May 18th.—The grass of the Gallowhill and the laboured land therabout sett at 40s. Sc. of yearly rent. The School acre sett for £24 6s. 8d. Sc. The Shambles sett for a year for £31 Sc.

May 25th.—The Councill considering that there are frequently some of the King's troops lying in garrison here wherby the toun's drummer is superseded in his beating morning and evening as usuall do therfor for hereafter restrict the drummer's salarie to £16 Sc. per annum and so proportionallie for any space any of the armie be quartered in this town.

June 12th.—The treasurer out of his intromissions with the two pennies upon the pint ale imposed be act of parliament in favour of this burgh pays the Lady Findrasie mortification of 1000 merks to the patrons—Ludovick Dunbar of Westfield, John Leslie of Findrasie and John Dunbar of Burgie, heritor of the lands of Bishopmiln, said sum resting be the town conform to bond 28th May, 1707.

The provost delivered to the thesaurer ane pass key that opens three doors in the Tolbooth which was formerly made for the convenience of Mr. Brown, clockmaker, when he was building the tolbooth clock.

July 6th.—The Councill ordor that the highway that leads through the Cattaills, which presently is impasible be amended and filled up with whins and gravell and that all the inhabitants of the burgh who have working horses furnish their horses and men for one yoaking at the said work under penalty of 12s. Sc. for ilk absent horse.

Intimation to be made by tuck of drum that the burgesses and other inhabitants attend the Magistrates upon Thursday next be ten aclock forenoon for ryding of the toun's marches.

July 24th.—Ther being severall complaints made to the Councill that ther are many inhabitants have swine that eat and goe throw the corns and that ther are some persons who make high roads through the cornes and that there are severall children and others break yards and take away fruit and break the trees contrar to the 17th statute of this Burgh, therfore the Councill appoint the said statute to be published this day be tuck of drum and that the contraveeners be punished in the termes of the said statute.

The Councill appoint John Ogilvie, messenger, immediately to goe and apprehend and imprison the persons of Peter Russell and his cautioners upon the caption at the Thesaurer's instance against them for the two pennies upon the pynt ale.

August 3rd.—John Shearer, cautioner for Peter Russell, collector, is liberated on his petition till 8th September.

November 9th.—Upon a petition from Mr. John Porteous, master of the Grammar School craveing a Doctor to assist him in teaching his scholars since by their number and his close attendance he is not able to undergoe the charge. The Councill allow 50 merks Sc. per annum to be payed out of the comon good to be payed at the Councill's pleasure only and that the Doctor be such as the Magistrats present and be pleased with and that the said sallary be not payed but when the scholars exceed the number of sixty and upwards.

November 23rd.—Ther was a proposall made that Harie Innes second laufull son of the deceast Colin Innes, merchant in Elgin, should be nominat Doctor of the Grammar School. The Councill ordains the said Harie Innes to undergo a tryall of his qualifications for that post befor the presbytrie of Elgin.

The sum of £14 16s. Sc. is payed out of Pitulie's mortification for a board of record of the mortification said board with gilded letters to be hung up in the church above the merchant loft in memory of William Cuming of Pituly for his mortification to the gildrie.

The cautioners for Peter Russell, collector of the two pennies grant bond for £89 17s. 10d. Stg. as balance due to the town by him.

Peter Russell lies in prison. He remained there till 15 Feb. at least.

The Little Cross - Elgin.

November 30th.—Harie Innes chosen Doctor of the Grammar School.

December 14th.—Upon a petition signed be severall of the burgesses of this town in favours of Robert Whitingdale, teacher of Arithmetick, writting and book-holding, craveing some competent sallarie for his incouradgement the Councill grant £20 Sc. for one year.

1725.

January 5th.—James Chalmer, son of the deceased George Chalmer, town clerk, has raised an action in the Court of Session for £518 Sc. alleged due by the town by an Act of Council of 7th February, 1702.

The Beadhouse being presently in a ruinous condition and like to fall the Magistrates order it to be repaired.

Contract for building and repairing the mason work £240 Sc.

John Rinken, merchant in Fochabers to supply timber such as sparrs, dealls and jeasts.

January 25th.—The vault under the tolbooth which was formerlie the pitt is ordained to be sett in tack for three years.

April 7th.—*Act for preserving the highway leading to Bishopmiln.* The magistrats represented that the highway leading from this burgh on the north side therof to the foord of Lossie and the miln of Bishopmiln and at the north end of the vennell called the Lossie wynd and which highway is a common passadge from the toun of Elgin to the sea port touns of Burghsea, Causea and Stotfield has been lately plewed up and tilled by George Innes of Dunkenty his sones and servants wherby the said high road is inteerly stoped and therby the communication of this burgh and the northern parts of the countrie cutt of, That the saids magistrats had made ane civill interuption to the said nottorius incroachment upon the fyfth instant and that since the said interruption the said George Innes had caused cast fussees and wett ditches at the south and north ends of the said highway wherby the said highway was rendered inteerly useles for any maner of passadge either of horse or men, And desired the toun Councill to provide a remedy and reddress for the said incroachment. The toun Councill haveing deliberatly considered the above representation with the 156th Act of the 12th Parliament of King

James the 6th intituled ane act anent the passages to free Burrows as also ane clause in the charter granted by King Charles I. to the toun of Elgin wherby the King gives to them the priviledge of preserving all the highwayes and passadges leading to and from this burgh inteer in ther breadth and to preserve them from being distroyed and deminished, Doe unanimously resolve and agree that the stopage of the said high way be the said George Innes is ane nottorious incroachment upon the priviledges of this burgh and that the magistrats shall furthwith cause beat a bank by tuck of drum through the toun commanding all the burgesses to be aiding and assisting in filling up the said fussees and make the said high way passable and patent as the same has been these fourty years and upwards as farr back as the oldest man liveing in this burgh doth mynd, as also the magistrats are impowered to raise letters of horning upon the forecited Act of Parliament against the said George Innes for the said incroachment.

April 12th.—Upon ane petition given in by Alexander Dick, deacon of the Incorporation of Glovers touching the saids Glovers and the other burgesses ther haweing right and priviledge to dry ther skins, wool and cloaths upon the green next adjacent to Burrowbriggs at the west and the highway leading from the burgh of Elgin to Bishopmiln at the east, which being considered by the Councill they appoint John Sutherland of Greenhall to gett a double of said petition and to see and answer against the nixt Councill day.

May 10th.—The Councill appoints the magistrats to search the toun's cadget anent the touns right and priviledges in the white fishing catched and brought in to the harbours of Burghsea, Causea and the Stotfield and other ports betwixt Spey and Findhorne because the fish mercat in this toun is much deminished.

The Councill find that Greenhall has not produced a sufficient right to the Green next the lands of Burrowbriggs and authorise the petitioners and all other burgesses of Elgin to possess the said Green as they have been in use and wont these many years past memorie of man.

Stated accompt betwixt the Poor of the Parochins of Elgin, Longbride and Birney upon Darklen's Mortification of the toun of Darklin and the patrons of the same from 1714 to 1724. [Here stated in detail.]

The Councill allow Robert Gordon, merchant, to cast peatts in the moss of Mostowie for his families use allenarly.

The instrument taken against Dunkinty for incroaching upon the highway is duly registrat in Edinburgh.

June 7th.—The Councill considering that all ther number are charged befor the Lords of Session in an action of declarator of property, molestation and damnages at the instance of John Sutherland of Greenhall and John Sutherland his eldest son anent the Green next Burrowbrigs they doe appoint that one of the sumondses be sent immediatly of to the Toun's Agent to make the toun's defence in vindication of ther property and possession and that the defence of that action be upon the publict charge and the Magistrats call a Head Court and desire the concurrence of the burgesses and that if the common good should fall short in defraying the expence of the defence of this action that ane proposal be made to the burgesses that they meet and stent themselves to make up the said expence. Also that the Councill raise a process against Greenhall for non-entrie of ane aughten part of the Greeshop lands of Elgin and the lands of Blackfrierhaugh, which formerly belonged to Sir James Calder of Muirtoun and now to Greenhall and which lands since the deceast Sir James Calder's death which was in the year 1713 have been in nonentrie and hold few of the toun.

June 21st.—Upon a petition from William Innes, son to James Innes of Cotts the Councill out of favour to him grant him liberty for his proper use to win, lead and away take lyme stone furth of the muirs upon the south side of Cattaills belonging to the toun for this present year to the number of forty or fifty loads.

June 28th.—James Watson, tacksman of the sclait quarries of Findrassie, agrees to furnish alse many good and sufficient sclait as the Beadhouse should need to thatch the same for 78 punds Scotts. William Allan, sclaiter in the college of Elgin, agrees to thatch the toun's Beadhouse with sclait for five pounds Starling, the toun furnishing pinn timber, sclait naill, fog and other materialls.

September 20th.—*Report of ane Head Court.* The Magistrats reported that upon Tuesday last the 14th instant, being the second Tuesday of this moneth in the termes of the sett they held a Head Court wherin were exposed the thesaurer and hospitall master accompts with the instructions of the intromissions with the comon good and mortified lands and rents since Michaelmas last untill the forsaid day they haveing been lodged in the clerk's hands twentie dayes preceeding

and advertisement made therof to the burgesses and that none of them objected against the saids accompts, instructions therof or the magistrats and Town Councill's administration of the same.

October 11th.—*Regulators of prices in the mercats.* The Councill considering that the prices of fyring, fewell, fish, flesh and other vivers are latelie arisen to an exorbitant hight to the great extortion of the inhabitants do therfor constitut and appoint James Cramond and John Dunbar, baillies, overseers of the mercats within this burgh with power to them to sett reasonable rates on all fewell, fyring, fish, flesh and other vivers and this to endure till the 1st of November nixt.

The Councill considering that John Innes of Darklen did by a deed of mortification anno 1698 leave upon his lands of Darklen ane sum of 1000 merks Scots to the poor of Elgin toun and parish and to the poor of Birney and Longbride parishes equallie betwixt them 400 merks of stock the annual rents whereof were to be annually distributed as also by the same deed he left on said lands 100 merks to be given the poor at his buriall which not being done nor the annual rents of the whole stock recovered from Mertimas 1714 to Mertimes 1724 by reason of a plea which arose betwixt Dunkintie as heir to Darklen and the patrons of said mortification which being decided by the Lords of Session in favours of the poor several sums have been recovered out of the rents of Darklen.

November 8th.—The Councill appoint the magistrats to goe to the toun's cadgett and take out ther charter under the great seall and the seasine following theron and send south with the first convenience to the toun's agent, in order to be produced in the actions with Greenhall.

November 15th.—*Libertie of limeston to James Ogilvie.* The Councill upon a petition from James Ogilvie, measson, allow him to win and lead away ane hundred load of lym stone out of the toun's muirs for the use of his lands of Easter Pettinsear.

November 22nd.—The Councill ratifies the payment made by order of the magistrates to Mr. Archibald Dunbar of Thundertoun, late provost, of £300 Sc. due by the toun to him for commissioner fees and expences at three conventions of borrows stated as a debt on the toun by act of Councill 27th August, 1716, and the said money was paid out of the duty of the two pennies, being the same was an old debt.

December 14th.—The sum of £52 Sc. paid as part of the price of the sclates for the beadhouse out of the fund of the two pennies.

December 20th.—Assignation made this day in the magistrats' hands of the toun and lands of Overmanbeens made in favours of Mr. James Allan, late minister at Rothes, disponed to him by the deceased James Spens, writer in Edinburgh.

1726.

January 26th.—The Magistrats and toun councill sign an address to the Honourable the house of Commons complaining of the hardship of the Malt tax. They also sign an address to the King complaining of the officers of the armie being named in the Commission of the Peace.

Thomas Purs, Hospitall master, represented that he hade gott a charge of horning at the instance of Alexander Duff of Drumuir for ane pretended few duty of ten punds Scotts yearly for these thirty years past alleadged due by the toun for the Grand or Order Pott, which charge the Councill appoint the said Thomas Purs to suspend.

February 3rd.—The Councill considering that the burrowland lying upon the south side of the burgh belonging to Robert Innes, merchant, has been of a long tyme past ruinous and the houses lying at the east of the toun belonging to the heirs of the deceast Alexander Sim are likewayes ruinous and have been so these many years, doe therefore cause intimation to be made to the proprietors of the saids lands to repair the same within year and day with certification that the magistrats will sell the same at a publict roup in the termes of the Act of Parliament made anent ruinous lands in Burghs.

February 8th.—The Councill order the Treasurer to pay to Baillie Gordon, commissioner for the toun at the Convention of the Royall Burrows £3 14s. 10d. Star. for the toun's eques for the years 1724 and 1725, and £10 15s. 7d. Star. for the toun's missive dues for said years also to pay to Baillie Gordon for commissioner fees and horse hyre £3 Starling.

May 16th.—The Councill considering that its a verie necessar work to repair the toun's bow bridge that stands upon the watter of Lossie at the west end of the toun empower the baillies to view what is ruinous about the said bridge and report.

May 23rd.—Greenhall agrees to arbitration anent the differences with the community.

May 31st.—The Councill agree to preferr James Ross, George Ogilvie, William Rhind and John Ritchie, meassons, for repairing the bridge, the price to be payed out of the fund upon the two pennies of the pynt of ale.

June 13th.—James Innes, baillie, chosen commissioner to the burrows. The Councill orders that it be ane instruction particullarly to bring a glassier from the south.

Letter from Mr. Andrew McGill, Garmouth, of date 7th June, 1726, to the Magistrates containing his advice anent the harbour of Lossiemouth. He has had the advice of Captain James Fall of Dunbar. He says the difficulties of a heavy sea and unfavourable neighbourhood of immense bulks of sand are in great measure counterbalanced by a near and plentiful supply of freestone at moderate cost and the possibility of a cleaning sluice from the Loch of Spynie. The neighbouring gentlemen proprietors of that loch are so far sensible of their own interest in draining that large tract of fine ground as to be resolved upon making it effectual and the scheme of a harbour would benefit them. He proposes to cairn stones in line on the east side of the water mouth. To prevent the seas deepening behind the Long Cairn it is advised to lay several lines of creels filled with beach or pebbles stretching from the said cairn eastward along the sand some forty or sixty yards for gathering the sand and raising that bank the higher the better both to secure the course of the river and save the beating of the sea in the place where the vessels may lie. He advises also to complete and cover in the houses now in ruins to be used first for the workmen and then for the fishermen when they come to settle there, and the smoaking houses will have an attractive virtue and promote the most hopefull branch of our Trade, viz., the fishing of all kinds. The removing all the louse stones on the west side of the river and cutting and levelling the rock that is under them will very much improve the channell of the river and if ever a key is built along that side the farther back the better and the stones for it are easily had from the rocks above and at hand.

July 18th.—Visitation of the mosses of Mostowie and Wester Glasgrein to be on Saturday next.

Contract betwixt the toun and the measons anent the reparation of the bridge on Lossy, of date 16th June, 1726, here recorded in full. The bridge on the water of Lossy north west from the town "is presently rent, decayed and like to fall." The masons contracting agree to take

down the south side of the bridge on both the east and west sides, at least so much as is faulty and like to faill from the arch and to found and rebuild it anew five foot thick at the found, tapering up three foot to the street on the top of the bridge and to build the front or face of both the wings of the said south ends of the said bridge to the measure and extent of ten or eleven feet from the arch and to pin and point the north side of the bridge and make a sufficient revell of hewen free stone along the east and west sides of the whole bridge where now defective and to place gutter stones for carrying water off the street of the said bridge on both sides and to lead stones &c. therfor but excluding lyme, lead and iron. The whole to be finished by 31st December, 1726. They also agree to set up a stone globe on the top of the steeple of the tolbooth and to fix an iron stalk designed for fixing the weather cock to be planted on the top of the said globe. Contract price for all the above 600 merks Sc., of which 300 merks is instantly paid out of the two pennies on the pint of ale.

September 27th.—Robert Innes, lately provost, being removed by death, his son James Innes is elected provost.

October 31st.—George Wilson, late thesaurer, delivered over to Thomas Purs, present thesaurer, the two silver communion cups, two dumbcrafts, as also the best and second mortcloaths and four mortcloaths for children and the keyes of the clerk's chamber wher the cadget lyes.

1727.

January 9th.—Warrand granted by the toun councill to borrow £1000 Scotts from William Duff of Bracco seeing that James Chalmer, son to the deceased George Chalmer, toun clerk, had obtained a decreet befor the Lords of Session against the magistrates and toun councill for ane principall sum and annual rents near to £1000 Sc. founded upon an act of the toun councill in February, 1702.

February 6th.—The Councill give £20 Sc. as a contribution to the harbour of Banff.

The Councill haveing receaved repeated complaints against Mr. John Porteous, master of the Gramar School from the parents of the children that are his scholars for not attendance of the said school under his

charge and he being called to this complaint he refused, at least delayed, to come, therfore the Councill declair the Gramar School of the said burgh vaccant after the first day of May next and immediately therafter the said Mr. John Porteous appeared and gave in ane demission of his charge of the said Gramar School and the Councill appoint the Magistrates to writt to Edinburgh and putt in the advertisement of the Dailly Courrant that the Gramar School of this burgh is vaccant after the first of May next and to invite ane qualified person to the said office upon promise of all encouragement.

February 20th.—Baillie Anderson on 18th inst. receaved ane mittimus signed be Collonel William Grant of Ballandallach as ane Justice Peace of the shire of Elgin for receaveing the body of John Sim, sometyme merchant in Keith, for the alleadged crimes mentioned in the mittimus. The said John Sim was receaved prisoner in the tolbooth upon the 18th inst.

March 13th.—The room in the wester end of the tolbooth and second storie therof to be made ane new Councill house. The magistrats to contract with masons therefor, the price not exceeding 200 merks.

The Councill being informed that severall of the herittours of the Mosswards of Elgin and other country people doe make highwayes and footroads through the crofts of Elgin leading to the saids wards ordain that no roads be made through said crofts under the penalty of five punds Scotts and furder wheras the high way leading from the Schoolwynd towards the lands of Cattaills is wasted and cutted which renders the same uneasie for horses and carriadges the Toun Council discharges any person from cutting or hollowing of the said road under the pain of five punds Scotts.

April 17th.—Baillie Gordon having returned from Edinburgh produced the toun's charter under the great seall with the seasine following theron which had been produced in the proof before the Lords of Session 'twixt the toun and Greenhall.

April 17th.—The Councill appoint the Magistrates to commune with workmen anent the carrieing of the stones from the west side of the harbour of Lossie to the east side therof and cleaning the channell of the watter and the loose stones therin. The Councill (at least the majority of voices) allowes James Watson, bellman, four pounds starling for his pains in keeping and dighting the tolbooth and kirk clocks for these four years past.

Decreet arbitral betwixt the Magistrats and town Councill and John Sutherland, elder and younger of Greenhall: At Edinburgh 28th March, 1727. Captain Robert Urquhart of Burdsyards and William King of Newmiln, arbiters for the town council, Joseph Brodie of Milntown and John Ross younger of Blackhills, arbiters for John Sutherland, elder and younger, relative to ane large green which lyes on the north side of the burgh of Elgin, opposite to the vennell or wynd called Lossie or Carman's wynd, bounded at the west with the inhabited houses of the lands of Burrowbriggs, at the east with the lands of Harvieshaugh, at the south with the old run of the water of Lossie, at the north and north west with the dam and damhead of Bishopmiln. The magistrats declared that they as superiors of the lands of Blackfriarshaugh and one aughteen part of the Grieship lands were content to receive John Sutherlands of Greenhall as their vassalls upon payment of one year's rent conform to the act of parliament. The saids arbitrators having likeways viewed and several times perambulated the contraverted greens and after great pains, serious consultation and mature deliberation they unanimously decern and ordain the said John Sutherland, elder and younger, to deliver to the toun councill and their successors and the burgesses of Elgin in all time coming a perpetuall attolerance and right of servitude upon Lossy Green adjacent to the laboured lands of Burrowbriggs at the east, north and northeast as the same has been this day marched with 13 march stones with the letter E for Elgin on the east side and with the letter G for Greenhall on the west side of ilk one, beginning on the south side of the said green opposite to the west side of the Lossy Wynd in a parallel line with the east gavell of the kiln which belonged to Matthew Muir, square wright and near the old run of the water of Lossy where there is presently ane standing pool of water, from thence to another stone northward and so from stone to stone of the forsaid number north and northwest until the place where the 13th stone is planted. And we decern and ordain that all the ground eastward of said stones shall belong to the burgesses of Elgin under the servitude aforesaid and that the said servitude and attolerance be granted to them for washing and drying their wool, linnen, skins, and steeping the same in the water of Lossy adjacent to the said bounds. Also we decern that the said John Sutherland his heirs and successors in the lands of Burrowbriggs nor their tenants shall never plough or labour or turn into corn ground, cast

faill or divot or make middens upon any part of the said bounds to the east and northeast of the said march stones. Also we ordain that there be a highway and cartroad to the south of said first march stone of three elns breadth or thereby from the first march stone to the stank or ditch where the old run of the water of Lossy was turning by the west side of the kiln belonging to the successors of Mathew Muir and leading to the kilns on the north side of the said burgh belonging to James Stewart and Kenneth McKenzie, late baillies, and the burgesses to have right to use a high way leading from the foord of Lossy called Murraystown's foord to Ragg's wynd. And the Toun Councill to pay annually to John Sutherland and his successors five merks Sc. for said servitude and attolerance. And we decern the Town Councill to receive the said John Sutherlands as their vassals in the Blackfriar hauch and ane aughteen part of the Greiship lands of Elgin with the mossward therof for payment of the same duties and in the same manner of holding which the said John Sutherland's authors held the same of the toun of Elgin. And we decern the said John Sutherlands to pay to the said Magistrates of Elgin £36 Sc. as ane composition for their entry. And we decern the Magistrats to pay to the saids John Sutherlands £36 5s. Sc. as the price of the corns which grew on the said green crop 1725 which were cutt down and carried of by the said Magistrats from the forsaid greens but allows the saids Magistrats to get payment from John Dunbar of the price of said corns at the rate they were sold to him at a publick roup.

May 29th.—The magistrates subscrive ane contract with Mr. Alexander Stewart, sometyme schoolmaster at Edinkillie, now governour to Auchluncart, to be master of the Grammar School and that for three years.

June 19th.—In respect the Gildrie have lately purchased from James Fraser the lands at the southwest end of the town called St. Kathrine's crofts and there being some green ground on the north side of the said croft capable of improvement the Councill authorize the gildrie to till and improve the said piece green ground and to march the same with the high way leading by the lands of Bilbohall to the toun provydeing they preserve ane highway of fourtie foots of breadth leading to the toun betwixt the saids lands of St. Kathrins at the south and the aughten part land of Elgin at the north.

July 20th.—The Provost and remanent members of the Toun Councill did all take and swear the oaths of Allegeance and Abjuration and

subscrive the same with the Assurance to His Majestie King George the second.

A stent to be made on the heritors of the Greeshop lands of Elgin as the watter of Lossie is encroaching and like to encroach furder upon the aughteen part lands to the great destruction therof.

September 9th.—Election of a Parliament member for the Burghs of Elgin, Banff, Cullen, Kintore and Inverurie. The haill commissioners agree that whoever be chosen he ought to serve gratis and not to burden all or any of the burghs he represents with any commissioner fees. William Stuart Esq. Remembrancer of Exchequer, who is a burgess of Elgin, is elected.

September 18th.—The Toun Councill this day sign a charter in favour of John Sutherland, elder and younger of Greenhall, of the lands of Blackfriarhaugh and ane aughten part of land of the Greeshop lands of Elgin and half ward belonging therto, lately belonging to the deceast Sir James Calder of Muirtoun.

October 9th.—It is ordered that the toun's statutes be publickly read over the cross on Friday next.

Statute anent the church windows. The Toun Counsell unanimously enacted that for hereafter no persons young or old presume to play with catch ball or any other diversion at the west gavell of the high church or towards any part of the litle church because it destroys the glass windows thereof under the pain of five pounds Scots money for each offence and parents to be lyable for their children.

October 30th.—The Councill doe declair in tyme coming that the master of the Grammar School and his scholars ther attendance from 1st November to 1st February yearly begin at nyne aclock in the morning and to disolve the school at twelve aclock in the forenoon and from two aclock to five in the afternoon but prejudice of any emoluments of candle that formerly use and wont were payable to the schoolmaster be continued and that the schoolbell be rung everie day at six aclock in the morning to advertise the inhabitants of the ordinary tyme of day to warn ther servants to ther work.

Iron stenchens or barrs to be put in the windows of the Bedhouse loaft.

George Innes of Dunkinty petitions the Councill for payment of 400 merks Scots with annual rent he borrowed for repairing the big bell in the church steeple in terms of Act of Councill, September, 1714.

December 18th.—The bond granted to Bracco for £1000 Sc. discharged.

1728.

January 8th.—The magistrats to commune with a boat wright to make a small boat or lighter for caricing the great stones that are lying in the mouth of the River of Losie hard by the pier from the west side of the watter to the east side therof.

The Dean of Gild to enquire if the stoups in the toun are agreeable to the Stirling jug.

February 12th.—The provost presented a discharge from Colonell Campbell, late representative of this burgh in the two last parliaments of all his fees which he could claim of this burgh and of the expences laid out for obtaining the Act of Parliament anent the two pennies Sc. on each pint of ale. The Councill ordain that so much of the moneys arising from the duties of the two pennies on the pint as are necessarie be laid out for improving the harbour of Lossie.

March 16th.—*Election of a Parliament.* Colonel Patrick Campbell, burgess of Elgin, chosen, William Stuart Esq. having elected to serve for the Air burghs.

The magistrats bargain with Alexander Falconar at Findhorn for a lighter with a burden of 30 bolls for ten pound Sterl. and a guinea of price.

April 8th.—The Council approve of a scheme for doing something at the east side of the water mouth of Lossie for making ane experiment of deepning the channell of the river and saving the harbour from east, northeast and southeast storms, that John Ross, elder, mason in Elgin be principal master mason and contractor about the scheme and that he have 18s. Sc. per diem for meat and wages, that James Duncan, merchant, be grieve over the said work and have also 18s. Sc. for meat and fee and that four or five quarriers and eight or ten barrowmen be dayly imployed in the said work at reasonable rates and that the whole expense of this work be payd out of the two pennys on the pint ale.

The Counsell considering that it is absolutely necessary for fitting up the new Councill chamber to provide at the publick charge two dozen of chairs of Russia leather one of each dozen to be ane elbow chair and

that the wood for strength and durableness in the frame of the chairs be of oake and considering that there is very shortly ane opportunity for a ship goeing from the Murray Firth to Dantzick, Doe impower the Magistrats to commission for as much hydes of Russia leather as will cover the said chairs and as much oake or knappell wood as will make the frames thereof.

The contract with John Ross anent Lossiemouth [here inserted in full] signed and alteration made so that John Ross as master mason be allowed 20s. Sc. per diem. He engages "to splitt, rive or cleave such of the stones on the west side as are so large that they cannot be carryed to the east side of the river," and to cleanse or dight the channel of the river from the outmost point of the west side or pier to the west gavell of Roscommon's house. The quarriers to have 10s. or 12s. Sc. per diem and the barrowmen 6s. or 7s. Sc. dayly. The toun Councill to supply a lighter, two dumcrafts, a quarrie mell, hammers, gavelocks, picks, barrows, &c.

June 17th.—The Councell doe agree that each of their number by turns doe goe and visit the work at Lossiemouth upon ther owne charges and that twice a week, Wednesday and Saturday, the first to take his turn to be the provost and so on till it goe through the whole Councill.

August 5th.—The magistrats represented to the Councill that James Tylour, James Miln, James Cuming and Francis Peerie, lately the toun's four officers did upon the 26th of Jully last most obstinately refuse to put in execution the magistrats ther sentence against George Guthrie, post, by putting him in the joggs after they were required by all the magistrates so to doe and therfore the Councill for the said gross malversation in ther office doe degrade all the saids four officers and discharges them in all tym coming to exerce that office and appoint four new officers.

October 28th.—The Councill upon a petition from James Ogilvie now of Pettinsear allow him to lead, win and away take 100 load of limestone furth of the muirs belonging to this burgh for the use of the lands of Easter Pettinsear and that for the space of one year provideing he sell none thereof.

The Councill appoints all those who have work horses in the toun to assist with their horses, servants and kelochs for makeing up ane highway which leads from the south side of the toun through the lands of Cataills

ay and whill the said road be made sufficient for horses and carts under the penalty of 6s. Sc. money for each yoaking.

November 18th.—The four Hearses in the High Church of this burgh haveing been lately repaired by order of the Magistrats and Toun Councill the Councill agrees that the reparation of one of the said hearses which lyes next to the gildry loft be payd out of the gildry thesaurie that the reparation of the other two hearses to the westward of that hearse be payd out of the common good, that the westmost hearse next to the Hammerman's loft be repaired at the expence of the Kirk Session of Elgin. David Falconer, pewterer, was the workman employed.

Anent the accusation by James Duncan, supervisor of the work at Lossiemouth against John Ross, master mason of that work, the Toun Councill find that John Ross had not acted fairly to the toun by detaining the workmen's wages and by putting a part thereof in his own pocket and by using the toun's wages to his own private work and by not duely fixing the beacon on the east side of the river.

1729.

The burrow lands belonging to Robert Innes, merchant, lying upon the south side of the burgh "are presently waste and ruinous to the prejudice of the ornament and beauty of the street of the town." The Councill appoint intimation to be made to Robert Innes and James Innes of Inchtellie, a creditor, to repair said lands within year and day or the Toun Councill will roup them in terms of Act of Parliament 1672.

April 14th.—The deceast William Duff of Diple who dyed in May, 1722, having by a verball order desired William Duff now of Bracco, his sone, to give 1000 merks Sc. for mantainance of one decayed merchant of Elgin Bracco agrees to mortify 13 crofts which his father purchased from Mr. John Annand amounting in yearly free rent to £44 Sc. The Councill appoint James Innes, baillie, to go to Banff to have the mortification compleated, and Baillie Innes in going to Banff to purchase at Garmouth as much sparr wood as will be sufficient for makeing five or six pauls for fixing cables in Lossiemouth. The expence thereof to be paid out of the two pennys on ilk pint ale. [Braco's deed of mortification here recorded in full.] The mortification is made to the provost, bailies,

dean of gild and treasurer and their successors. The presentee shall be a person of honest life and conversation and a Protestant who frequents the ordinances and public worship. The thirteen crofts are on the south side of the burgh, lying contigue, between St. Katharine's crofts at the west and a croft of land belonging to Kenneth McKenzie, apothecary, at the east. The yearly rent to be applied for maintenance of an honest, poor, decayed merchant burgess and gild brother, residenter within the toun of Elgin. The right of presentation to be in William Duff and his heirs. If no presentation be made by the patrons within six months the dean of gild and the managers of the Charitable Fund to nominate.

April 26th.—By appointment of the General Convention of Burghs held in July last a visitation of this burgh and the harbour therof is to be made on 8th May next by the following burghs—Inverness, Dunbar, Forres, Nairn and Fortrose.

Act for regulating the price of peats. The Councill considering that the inhabitants of this burgh are grivously extorsd by the sellers of the peats in the publick mercate within the burgh, Therefore they appoint the magistrats and Toun Councill by turns by two and two to visite the said peat mercate every laufull day of the week and to rectify the prices of the said peats.

June 2nd.—The Council agreed that the harbour at Lossiemouth be carried on this summer according to Mr. McGill's plan by carieing stones from the west to the east side of the river, that James Duncan, merchant in Elgin, be grive of the work and that he have 18s. Sc. per diem, that two quarriers be at first employed and then alse many more as shall be necessarie, that twelve men be employed at low watter to carrie the stones with barrows and at high water to work with the lighter and the boat, that countrie horses be hyred to carie over the stones in cartloads and that the collector of the two pennies pay the weekly wages.

The Council feu a part of the muir besouth the Cattaills Dr. Patrick Stuart to pay £1 0s. 3d. Sc. yearly feuduty, Provost Innes 15/5 Sc., John Duff £1 4s. 4d. Sc., they having petitioned for parts of the muirs adjacent to their possessions of the Cattaills, consisting to each of 100 Scottish elns square from east to west and from the dyke circulating the Cattaills at the north to the ditch casten at the south. Dr. Patrick Stuart is heritor of the part of the Cattaills at first feued to David Bremner, James Innes is feuar of a part of the Cattaills on the south of

the burn of Tayock which was originally feued by the toun to David Bremner and which the father of the said James Innes purchased from him. John Duff, merchant, is heritor of the part of the Cattaills originally feued to William Paull, merchant, and by him disponed to William Ross, merchant, and by him disponed to James Anderson, Commissary Clerk of Murray and by James Anderson conveyed to John Duff, breadth of this part being 180 Sc. elns.

May 19th.—The keys of the prison where McKintosh of Belvaden lies are delivered to Baillie Cramond. [He continues in prison till 4th October, 1729, at least.]

July 28th.—The Royal Burrows at their last Convention gave £20 Starling to the town for the reparation of ther harbour.

The Councill grant the petition of William Blenshell, Deacon Conveener to build a new seat, dask or pew in the body of the High Church provided the said seat be removed when the sacrament of our Lord's Supper is administrate.

August 25th.—The Councill considering that Robert Brander, one of the toun's officers hath been guilty of ane gross malversation in conniving at the escape of James Malcomb, who was committed to the tolbooth of Elgin for theft and shop breaking doe immediately degrade the said Robert Brander from his office and ordains the Toun's livery with his Halbert and Broad Sword to be taken from him.

[Charters of a part of the muirs in favour of Provost Innes and John Duff here recorded in full.]

October 27th.—Upon a complaint made against Mr. Stuart, schoolmaster, for neglecting his charge it is ordered that there be a visitation of the Grammar School made be the Magistrats and minister.

The Councill unanimously find that there is no use for a Doctor to the Grammar School after Mertimes next because of the paucity of schollars and therefore rescinds the act of Councill allowing a sallary to the Doctor after that day.

The keys of the prison where Donald Ross and the gipsys are were delivered to William Geddess. [A month later still in prison.]

It is ordered that the four Baillies goe once this week through ther severall quarters of the toun and take up lists of the inhabitants and to inquire anent what idlers and other loose persons live about the toun and report.

November 10th.—The Baillies presented lists of the severall inhabitants within this burgh differencing the characters of those who are idlers and have no Testimonials and have no honest way of living. It is ordered by the Councill that every Baillie in his quarter does prosecute those Idlers, people who want Testimonials or who cannot show any honest way of living and punish them according to law by fining, confining or expelling them out of the toun and that such of the burrow heretors who have sett them any houses be fined conform to the toun's statutes.

November 29th.—James Fraser, sheriff clerk of Murray, gave in a petition to the Toun Councill bearing that whereas in the month of September, 1714, he was settled conjunct Toun Clerk in place of David Stewart and gave bond for 500 merks Sc. for the price of said office, that his said office have been vacant and he deprived thereof in the beginning of the year 1717 he reaped little or no benefitt by the office, that therefore he humbly demitted any little he could claim thereto and therefore craved that the Toun Councill would be pleased to discharge his bond. The Councill doe find that the rouping of the office of the Toun Clerkship was derogatory to the freedome of choice which the Toun Councill ought to have in electing their clerks and therefore discharge the said James Fraser of the said sum of 500 merks and bond granted therefore and of the haill @rents due thereon.

December 15th.—The 1000 merks mortified by Alexander Dick is voluntarily borrowed by Baillies Cramond and Wilson and Conveener Dick because no other debitor could be found and least the poor should loose the @rent.

1730.

January 5th.—Gift from the Exchequer of the fourth part of the whole stipend of Elgin of crop and year 1729 vacant by the transportation of Mr. Charles Primrose for behoof of the toun, to be applyed be them for reparation of the Little Kirk. The Councill agree that Provost Innes gett the bear of the vaccant stipends at 8 merks Scotts per boll.

February 9th.—The Councill enact that the vacancy in the Grammar School be setled by a comparative tryall before the presbytery of Elgin and publication be made of the tryall upon a Lord's day at least a month

previous at the parioch church of Elgin, the six adjacent pariochs and at Forres, Nairn, Inverness and Aberdeen.

March 16th.—Captain Avers sends a letter that he will wait of the magistrates and view the harbour of Lossiemouth and give his advice for ane plan theranent.

James Hatmaker, glover, admitted a toun's beadman, in room of William Ingland, deceased.

A letter written to William Forbes, the toun's agent, to advertise the comparative tryall for a master to the Grammar Schooll in the newspaper called the Caledonian Mercury. The Councill grant warrand to George Wilson ther Hospitall Master to buy three chists of glass for glassing of the vindows of the Little Kirk out of the gift by the Exchequer.

Alexander Philp nominated by the Toun Council to be one of Pittulie's four pensioners in room of William Douglas, merchant.

June 5th.—The Councill subscrive ane precept of clare constat in favours of Joseph Brodie of Milntoun as heir to the deceased Francis Brodie of Inverlochtie his father upon that part of the Greens of Mostowie belonging to him and holden few of the town.

The arms of G. Brittain sett up in the Courthouse. The said day ther was ane piece of painting sett up in the Courthouse done be Richard Waitt, painter, being the armoriall armes of Greatt Brittain with the toun's armoriall bearings of St. Geills and the crosses of St: George and St: Andrew, for which the Councill orders the thesaurer to pay the said Richard Waitt the sum of fifteen pounds Starling money deduceing therfrom the sum of three pounds ten shillings Star. containt in ane former precept drawin be Richard Waitt payable to Janett Hattmaker in Invernes and ane order theron from the magistrats upon the thesaurer.

June 20th.—The Councill appoint James Innes, dean of gild, to be assessor to William Forbes, ther Commissioner at the ensuing Convention of Burrows, for which the Councill allow him three punds during the sitting of the Convention and the expence of his horse hyre furth and home and no more. Charter of adjudication granted to James Charles, merchant in Elgin, upon the piece ground at Lossiemouth wheron Mr. William Sutherland, third son to James, Lord Duffus, built some houses, 19 elns in length and 6¾ elns in breadth. The charter contains a liberty of having a white fish boat at Lossiemouth.

July 6th.—The Councill enacts that there be a causeaway of peeble stones made at the west end of the toun where the present street ends to the west port, that the causeaway be 40 foot broad besides the cannals to be laid with the like stones for carrying away the water, that it be done at the expense of the respective heritors of the burrow roods at said end of the toun under the penalty of ten merks Sc. for each rood. The Councill grants every one of the heritors respective opposite to their burrow land liberty to advance their houses on both sides towards the cannall of the said intended street, the street being still 40 foot broad, besides the cannall. The toun will causea the part opposite Ragg's Wynd and the part opposite Pitullie's mortified lands.

The magistrats to ride the toun's marches next week. The Councill order the treasurer to pay the Dean of Gild £15 Sc. for five days Commissioner fees and £20 Sc. for his horse hyre south and north.

In terms of letter from the Agent of the Burrows the Magistrates agree to make up a list of unfree traders for prosecution before the Lords of Session.

It is ordered that for the better regulating of the mercates of the toun and preventing forstalling that all the publick mercates (the weekly mercates excepted) be proclaimed ilk Tuesday before the mercate begin at 12 aclock beforenoon, that before that time there be nether buying or selling under pain of being punished as forestallers. The Dean of Gild is appointed to name a guard of twelve of the burgess to keep guard and patrol every Monday night and to continue on guard untill Tuesday that the mercate be proclaimed and impower the Dean of Gild to fine such of the burgess as refuse to attend the said guard.

October 5th.—It's ordered that none of the inhabitants buy any peatts, fir or other fewell or vivers without the ports till the same come to the open mercat under pain of being pursued as forestallers. The Councill considering the great darth of the peatts they appoint the Baillies to attend week about and regulat the prices.

October 12th.—The magistrats having got a summonds of declarator and redemption at the instance of William Duff of Bracco of the lands of Darkland out of which £1000 Sc. was mortified to the poor the summonds to be sent up to the Toun's Agent.

October 26th.—The keyes of the prison wher Joseph and John McIntoshes are imprisoned for ane civill debt are delivered to Baillie Innes. [Still in prison on 7th December.]

The magistrats and Councill have finished accounts with George Cuming of Pitulie anent the toun's intromissions with the rents of the mortified lands of Lyperland and Hospitall croft. In compting with George Cuming of Pitulie from 1703 to 1726 the toun councill are found due to Pitulie a balance of £1052 14s. 6d. Sc. The @rents of that balance for the years 1727-30 to be applyed for reparation of Pitulie's houses wherein his pensioners dwell. Paid for murning cloaths to George Leslie and Andrew Ramsay, pensioners, at Pitulie's death £4 14/-. Paid for a painted board with gold letters in memory of Pittulie £14 16/- Sc.

November 9th.—The Councill orders all those who hyre horses to lead two yoaking with ilk horse and to bring causea stones from the fields to the broken causea and this for the benefit of such of the heritors as are poor and not able to make up their parts of the said broken causea under the penalty of half a merk Sc. for ilk horse.

1731.

William Forsyth, glassier, agrees to glass with new glass, lead, wire and iron glass bands the whole windows of the litle church for £108 Sc. out of the vaccant stipends cropt 1729.

January 18th.—Mr. James Stuart, eldest son to Mr. Francis Stuart, only brother now in life to Lord Charles, Earl of Murray, received by the Councill as their vassall in the lands of Diviliegreen, two Kilncrooks and dreich of Pettindreich resigned by the Earl of Murray to the said James Stuart.

February 22nd.—*Act anent the by brewers.* The Councill haveing considered a grievance and complaint given in by those that are publick brewers in the town who are duely entered in the excise office and who pays the King's revenue of excise with the petty impost of the town and bear the only burden of quartering souldiers against a great many by brewers who bear none of these burdens and defraud the King and the town of the dutys of malt and liquor brewn sold and retailed by the said by brewers as also considering the danger the toun is frequently exposed to by these by brewers brewing in the night time doe therefore enact that for hereafter no person presume to brew for sale any ale or spirits within this burgh except upon these conditions: (1) That the person brewing

for sale be a burgess and licensed by the Magistrates (2) That the said licence be entered in a record kept by the Town Clerk, the fee being 6/- Sc. (3) That applicants be such as can quarter two souldiers (4) Contraveners to pay £10 Sc. &c.

March 15th.—William Paull, one of the town's officers, degraded for several faults and transgressions and his liverie coat, halbert and broad sword taken from him.

The Councill discharge all strangers from casting peatts in the toun's mosses besouth the toun and that no inhabitant or burges presume to cast therin without ane warrand from the Magistrates.

Darkland's £1000 Sc. which is to be paid up by Bracco, is to be lent to Sir Harie Innes and Laurence Sutherland, merchant, Elgin, jointly, also the 1000 merks Sc. mortified by Alexander Dick to be lent to them. The sum of 100 merks (£66 13s. 4d. Sc.) was appointed to be distribute upon Darkland's buriall day, to be paid proportionally by Elgin, Birnie and Longbride.

July 19th.—The moss and marches of Mostowie to be visited upon Saturday next, the burgesses to be advertised to attend under the penalty of £5 Sc. each and twenty four march stones to be provided for making a march betwixt the moss and the arable lands.

August 9th.—The Council agree with Kenneth Sutherland, wright and glasier, to keep the windows of both churches as to the glass work and weir work tight and in repair whole and inteer for seven years for £18 Sc. yearly, payable in the first place out of the penalties of the church delinquents and if that fund faill to be paid out of the toun thesaurie.

The Town Council grant liberty to take as much limestone out of their muirs as will serve for reparation of some bitterages for support of the church of Longbride and that upon the application of John Duff, factor for Bracco and James Ogilvie of Pettinsear, two of the heritors.

August 9th.—The Toun Council vote that the work at the east pier of Lossiemouth be discontinued this season because of some faults committed by David Paull, the overseer.

1732.

January 17th.—The Councill considering the great hazard houses within burgh are exposed to by haveing gunpowder in shops or fire-

houses or any other place wher fire lights are carried, Therfore the Councill enacts that for hereafter no tradeing merchant or others keep gunpowder in firehouses or shops within this burgh or other places wher fire lights.are carried to under the penalty of fiftie punds Scotts and that the magistrats yearly search for lint and powder within firehouses and report the contraveeners and appoints this act to be intimat to the inhabitants be tuck of drum.

The Dean of Gild has the keyes of the iron door wher Gilzean, prisoner, lyes.

January 31st.—The Councill considering that the late town officers pretend ther is ane great deall resting them of ther fees out of the penalties due by the furnicators within the Parish of Elgin and that for hereafter the collector of the penalties is appointed to pay the toun officers yearly what is due them out of that fund and to take discharges and not partiall recepts to avoid confusion.

The keys of the prison given to Baillie Duff where the incendaries lye [still in prison 21st February].

March 20th.—The keys of the prison and pitt wher John Innes, criminal, lyes are delivered to James Miln, one of the Councill.

May 22nd.—The guagers pretend they have not seen the Act of Parliament imposing the duty of two pennies upon the pynt of any ale that is sold for three shilling or four shilling the pynt and upwards in favour of the town. They are required to make a return of the duty due to the town.

July 17th.—The magistrates report their riding of the marches with the inhabitants and that the tenants of Mostowie and Hillside transgress the town's statutes by selling peats to others than the inhabitants of the burgh. The magistrates find that Dr. David Brodie, heritor of Main and his tenants incroach upon the Crooked Moss near the Duffus Hillock to cast peats and win fir.

[Sett of the Burgh of date 15th September, 1705, here recorded.]

October 30th.—The Councill appoints Robert Duff, late tresaurer, to give up to Thomas Purse, present thesaurer, the mortcloths and silver communion cups. The magistrates are appointed to attend upon the ordinary mercate days for selling of peats and regulate the prices of peats when they are extravagant.

November 27th.—John Sutherland of Greenhall and Laurence Sutherland, merchant in Elgin, give a bond to the magistrates for £720 Sc. which money was lent them out of the money arising from the impost of the two pennys in the pint ale within the burgh. .

December 18th.—Bond be Sir Hary Innes of Innes and John Innes of Leuchars for £600 Sc. The money was lent out of the fund arising by the two pennys on the pint ale.

1733.

March 26th.—The toun's aughten part set for £22 Sc. yearly, the toun's four butts for £5 7s. Sc., the School acre £24 13s. 4d. Sc., the Goose crook £13 Sc., the shambles maills £38 13s. 4d. Sc., and the Horse Post Office £18 Sc.

July 9th.—The Councill to treat with James Brown, watchmaker, to keep the tolbooth and kirk clocks which are not exactly keeped by James Watson, beddall.

The Councill consider that ther ar a great many idle persons liveing in town that are not able to bear any publict burden by paying of cess or quartering of souldiers and that never were burgesses or obtained the freedom of the town. The bailies to prosecute such idle persons before the Town Court as unfree traders, idlers and such as have no maner of liveing. The four officers to receive one shilling Sc. for each vagrant beggar they incarcerate in the tolbooth.

[Darkland's Mortification. The accounts of Elgin with each parish (Urquhart, Birnie and St. Andrew's) for 1715-31 here all recorded in detail. Date of the £1000 mortification, 1698.]

Double of a disposition by Charles Gordon, merchant and bailie in Elgin in favour of Alexander Gordon his eldest son and his younger children of date 13th November, 1730. He mortifies to the poor of Elgin 300 merks. Patrons—the Magistrates and ministers of the burgh.

1734.

January 7th.—Several idle persons having broken into shops and houses within the burgh the magistrates offer a reward of a guinea for information leading to a conviction.

March 4th.—Bailie Innes to have 1000 merks Scots in loan out of the moneys arising from the fund of the two pennies on the pint ale laid by Act of Parliament.

June 3rd.—The Council to intimate through the town be tuck of drum that whoever serves cheapest in collecting the two pennies of the pint is to be preferred.

June 10th.—Thomas Purse is appointed at a salary of £8 5s. Stg.

August 12th.—The Comitie reported that they hade compted with Dunkinty and hade payed him and gott up his discharge for 400 merks Sc. of principall as the price of the kirkbell and £281 11s. Sc. as the @rent therof from the term of Lambas, 1713.

September 23rd.—The Hospital Master's Accounts include (1) Innes Mortification, (2) Pitullie's Mortification, (3) Darkland's Mortification, (4) Alexander Dick's Mortification, (5) Bailie Gordon's Mortification.

December 2nd.—Robert Duff [and five others] managers for the Guildry's Charitable Fund received by the Town Council as their vassals to the two aughten parts and grass land belonging therto formerly belonging to Robert McKain, merchant, and by him disponed for behoof of the said Charitable Fund.

1735.

January 7th.—The Council resolve to appoint a Quarter or Billet Master the four baillies having represented that the billeting of the souldiers was very troublesome to them and diverted them from their private business to their great prejudice. James Fenton appointed billet-master at £3 Stg. yearly.

January 13th.—The Councill appoint Robert Duff, Dean off Gild, to gett and make up ane exact list of the mercats that are holden within this burgh and that he transmitt the same to Aberdeen to be insert in the yearly Almanack and to pay what is reasonable for inserting the saids mercats in the Almanack not exceeding a guinea.

February 24th.—Roups: Old Yards 50s. Sc. yearly for three years, Vault under the tolbooth £4 Sc. yearly, the Town's Hospital Crofts £20 15s. Sc. beside the teind there 3¼ of the said crofts, the Lyperland £104 Sc. stock and teind, the Shooting Acres £83 10s. Sc. stock and

teind, the Vault under the Little Kirk £9 13s. 4d. Sc., and Pitullie's Hospital Croft 57 merks 3s. 4d. Sc. stock and teind.

July 14th.—Such of the inhabitants as keep swine must keep them in close houses and not allow them to goe through the town yards or corn or they will be prosecuted. The town's officers to take up the swine and put them in the shambles. The officers also to take up all vagrant beggars and put them in prison.

July 28th.—The Councill find that the thatching of houses with heather within the closses of the town is most dangerous when any accident of fire happens within the town, therefor they appoint these that are thatching with heather ther houses that they presently take of the said thatch and that none within the burgh presume to doe the same in tym coming under the penalty of ten punds Scotts.*

August 25th.—The Council to agree with John Laurie, mason, or any other mason anent the building of stone bridges at Cayesbridges and winning of pen stones for the pens.

The Council appoint the drumer to goe and beat with his drum evening and morning.

September 29th.—The Councill recomend to the baillies to search the whole town that ther be no lint in privat houses to prevent fire and to inquire who recepts vagrants, sturdie beggars and other idle persons and to fyne the recepters.

October 20th.—A town's guard to be appointed from 1st November in respect that there is no regular troops presently in town. As there are none of the King's troops lying in this burgh the quartermastership is void and the baillies are to quarter the transient soldiers.

December 1st.—The Councill appoint James Russell, mason, to pay 1s. Sc. yearly of feu duty for the liberty of building a stair opposite the musick school.

The magistrates having perambulated the feulands about Lossiemouth holden feu of the Laird of Brodie find only four of the nine march stones and they are of opinion some incroachments have been made. The matter is deferred till the Lord Lyon returns to the country.

The Council appoint James Brown, watchmaker, as keeper of the two publick clocks for three years at £3 stg. yearly.

* Cf. p. 365, "Extracts from the Records of the Burgh of Aberdeen," 28th June, 1716. The Magistrates of Aberdeen prohibited the thatching of houses with straw and heather under the penalty of 50 merks Scots.

1736.

January 26th.—A piece of the waste muirish land south of the Cattails feued to James Warden. Reddendo to the town yearly 20 merks Sc.

March 10th.—The town's marches with Main and Linkwood ridden. Some incroachments found in Main.

April 3rd.—The town's treasurer is appointed to pay the town's common servants out of the penalties.

May 17th.—The Marywell grass rouped for £13 13s. 4d. yearly for 3 years.

May 31st.—The Councill appoint the magistrats to make out ane list of persons for guarding the mercat to prevent any abuses or disorders that may happen either this night, Tuesday and Wednesday, being the tym of the mercat and that the number of persons who are to guard each night doe not exceed 12 or 16 in case the magistrats doe not find ther happen a necessity for more.

August 2nd.—The Councill being informed that Mr. Adams the Architect is to be very soon at Innes House the Councill appoint the Magistrates to wait on Mr. Adams and take his advice in relation to the building a spire on the steeple of the Church of Elgin.

Accounts of the Collector of the two pennies upon the pynt 25th March, 1735, to 25th March, 1736: charge £56 18s. 9d. Stg., Discharge £33 17s. 4d. Stg.

August 7th.—The magistrats having ridden the town's marches and that of the lands of Mostowie find that the tenants of Leggat had casten peats in the Moss of Mostowie and that Lord Bracco's tenants had made some incroachments upon the south side of the moss and had laboured a part of the same which the Magistrates saw under corn. The magistrats took instruments of interruption.

October 11th.—The magistrates resolve to build a mealhouse as a too-fall to the Tolbooth.

The baillies are appointed to draw out a list of guards in the several quarters and each baillie to search houses for lint and shops for gun powder.

1737.

February 21st.—The Toun Councill enact that no inhabitants sell ale, beer or spirits except burgesses and that no burgesses sell such except they can accommodate strangers especially the King's troops in sufficient quarters.

A feu is to be given to Dr. Brodie on the east and south of his enclosure below Main. It will sow 5 or 6 firlots bear. Feu duty, 5s. Sc.

April 11th.—The Council enact that none of the inhabitants allow their cattle to travel through the laboured land and about the town or make any byroads through the corns or lint growing also that none presume to cast or lead peats or win fir out of the town's mosses without ane expres warrand from the Toun Council and that none presume, children or others, to throw balls or stones upon any of the gavells of the kirk that may prejudge the west light and be occasion for breaking of the vindows.

April 25th.—The Council give in loan £500 Sc. to James Mill, merchant, and Alexander Dick, glover, out of the moneys arising from the two pennys in the pint ale.

June 6th.—The magistrats write Lord Bracco anent incroachments made by his tenants on the mosses of Mostowie and their threatning the town's officers.

June 20th.—The Magistrats &c. are appointed to perambulate the marches of Mostowie with Tulloch of Tannachie, Lord Bracco's factor.

July 25th.—William Forbes, the town's Agent, Edinburgh, reported that there is no alteration in the tax-roll and that the convention of burrows agreed unanimously to give the city of Edinburgh £1000 Stg. to help to pay the fyne imposed by the Parliament anent Mr. Porteous affair wherof this toun's share will be about 50s. Stg. yearly for three years.

The Council allow Mr. Duncan, minister of Longbryde, to win and burn two kilnfulls of limestone out of the toun's muirs.

August 22nd.—Presented in Council an extract of a registrat disposition and assignation from James Crammond late Baillie of Elgin to Jannet Cramond his eldest daughter whereby he mortifies to the poor of Elgin 500 merks Sc. and nominates the Magistrats and ministers to be patrons of the mortification.

October 3rd.—Thomas Purse, late Hospital master, presented ane charge of horning he has got at the instance of Thomas Forbes of Echt as having a gift from the Crown to the Chaplanries for ten pounds Scots yearly as the rent of the Chaplanrie of Green called the Ordor Pot which being considered by the Council they appoint the same to be suspended with a charge given the gildrie for ten merks yearly for the rent and profitt of St. Kathrin's crofts upon the comon expence of the toun and gildrie.

There being severall french doyts brought in to the toun by severall strangers contrair to law it is to be intimated that none of the burgesses or inhabitants presume to receave or give out the said doyts under the penalty of being deallers in false coyn.

1738.

January 9th.—Soldiers are now lying in the town and a billetmaster is appointed at a salary of three pounds Sc. monthly.

January 23rd.—The inhabitants are ordered to keep guard from this day till 7th April. The guard to consist of 16 men each night.

The Council offer a reward of 100 merks for the discovery of the party who broke open a shop or cellar belonging to Robert Duff, merchant, and stole several merchant's goods.

March 13th.—The Councill considering that their predecessors and the community of this Burgh have good and undoubted right to the white fish taken by the fishers of Burghsea, Stotfield and Causea for the benefit of the town and the adjacent country conform to the town's rights and infeftments in virtue whereof the Magistrates of Elgin have been in use and wont to fine the fishers of the said three towns when they did not bring their white fish to the Elgin mercate and the Council considering that these fishers do now sell their white fish to other persons than inhabitants of this burgh and do not bring them to the Elgin mercate recommend the magistrates to hold a court at Burghsea and fine the said fishers for their transgressions in the same way that their predecessors did and the Councill appoints the burgesses to attend the Magistrates to Burghsea on that said court day.

The provost delivers the memorial and queries relative to the Magistrates having power to choose a precentor, musick master and session clerk with Mr. James Graham of Airth's answers.

April 3rd.—The Court was held at Burghsea and the seamen and fishers were examined. A court is to be held at Elgin on 12th April.

May 15th.—The Councill appoint all the farmers and others that have horses to give ane yoking of them for carrieing stones and sand for repairing the high road that leads from the School Wynd to the muirs besouth the Cattaills and to carrie what stones from the Order Pott wher they now ly to the ford or passadge of Tayock that leads to the Walk Miln in order to make a bridge to be carried to the Malt Foord in order to make a bridge there. Each absent to be fined 40d. Sc.

The tacksman of the Petty Customs petitions the Town Councill against forestallers, &c.

July 10th.—Incroachers upon the mosses of Mostowie to be charged before the Sheriff Court.

September 23rd.—The Council did receive Lord Bracco as their vassal to the Greens and Muirs of Mostowie formerly feued off to Mr. William Sutherland of Rosecomon, and which lands are now adjudged from the said Mr. William Sutherland be the said Lord Braco conform to the decreet of adjudication of date 31st December, 1729.

The Council compounded Lord Braco's entrie to 300 merks Sc.

The Council also (25th September) include in the charter the arable lands of Mostowie and now compound his entrie to £13 11s. 8d. Stg.

October 30th.—Act declaring that the expence of plea about the Session Clerk, precentor and keeper of the Records of Baptisms and Marriages shall be paid out of the common good. Mr. James Graham advised that the Magistrats and Town Council had good and undoubted right to elect to these offices.

Copie Chartor of Adjudication William Lord Bracco upon the Arable Lands, Greens and Muirs of Mostowie, 1738. [Boundaries as on pp. 384-5 *antea*.]

These lands were adjudged to William Duff of Braco in payment of £26,725 18s. 4d. Sc. The charter reserves that part of the greens of Mostowie formerly feued to the deceased Francis Brody of Miltown and thereafter possessed by Joseph Brody of Miltown his son. Redeemable always in manner aftermentioned [not given however]. Paying to the

burgh yearly for the arable lands of Mostowie and four tacks thereof the sum of 16 merks Sc. and for the said muirs and greens of Mostowie the sum of 59 merks Sc.

The Town Council resolve not to submit the plea with Dunkinty nor the plea with the minister and kirk-session.

1739.

January 22nd.—The Town Council resolve to roup the burrow lands opposite to the High Street next the croce which belonged to the deceased Robert Innes, merchant, Elgin, they having been of a long tym past ruinous and waste.

May 21st.—The keys of the prison where James Mill the criminall lyes imprisoned was delivered to Deacon Purse to be kept by him till next Councill day.

July 11th.—The town have carried their cause before the Lords of Session in the action pursued by Dunkinty and Bailie McKenzie against the town.

October 1st.—The town's hyrers and others haveing carts and horses are appointed to give ane yoaking of ther horses for leading stones for helping the high road that passes through the Cattails.

1740.

May 5th.—The Shambles Maills were rouped by Alexander Roust, master of the Musick School, and carried by him at the yearly rent of £36 6s. 8d. Sc.

May 16th.—The Councill considering that there is a scarcity of meall and corn within this town and that the inhabitants therof cannot get meall and corn to buy for their money impower the magistrats to purchase from Gilbert Gordon, merchant in Inverness, 100 bolls bear and 100 bolls of victual oats compting five firlots of oats to the boll, each boll of bear and oats at the rate of 10 merks per boll.

June 27th.—All persons cutting the roads through the Moss of Mostowie to be fined and the peats casten by the tenants of the Leggat in

that moss to be broken and casten into the peat pots in regard these tenants have no title to cast.

October 27th.—The Council advance five guineas to Bailie Bayne, Dingwall, on his petition for aid and support of the burgh of Dingwall owing to some criminal practices used against the Magistrates and Town Council of Dingwall at their last Michaelmas Election.

1741.

February 9th.—The Council accept of Sir Harie Innes of Innes's offer of 200 bolls oatmeal at 8 stone the boll for behoof of the poor at £8 Sc. per boll and they approve of the bargain of victual made with Ludovick Dunbar of Westfield for 100 bolls victual one half bear and the other half oats.

February 16th.—The Council agree to buy 100 bolls of bear from Sir Robert Gordon of Gordonstoun.

April 6th.—The Council considering that by reason of the scarcity of victuall has occasioned tumults and mobbs wherby the inhabitants are in danger everie night therfor the Council appoint the Magistrats the Baillies everie one of them to take ane quarter of the town and appoint twenty men to guard everie night by turns and appoint captains for commanding them as also to search everie familie they suspect that lodge vaggrants and idle persons and immediatly take them up untill they make ane just accompt of themselves and that everie Baillie take ane tradesman and officer for ther assistance.

Aprll 13th.—The magistrates on 9th curt. bought from Sir Robert Gordon of Gordonstoun 150 bolls bear and oats for £1275 Sc. On 14th March they bought from Sir Harie Innes 100 bolls oatmeall at £8 Sc. per boll for the use of the poor.

April 23rd.—The Council taking to their consideration that the prices of victuall are still upon the riseing and that the magistrates were to pay £10 Sc. for the boll of bear appoint that the peck of oatmeall be sold at 10s. Sc. and the peck of bear meal at 8s. Sc. at the rate of eight pounds the peck.

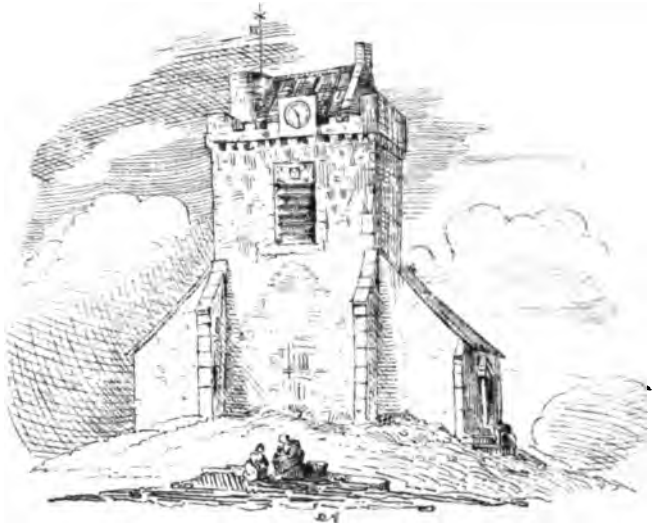
May 4th.—The magistrates have bought from Alexander Brodie, merchant in Elgin, factor to the Laird of Grange, 150 bolls bear at 16s. Stg. the boll.

June 15th.—The Councill give warrand to the magistrats to sell 50 bolls of the town's bear to three maltmen in Elgin seeing that there are several publict houses in town that cannot get malt to buy and that there are some bear upon the toun's hands more than will serve the poor.

Copie Charter—John Duff, merchant in Elgin, upon the lands of Cattails belonging to Mr. John Paul, minister at Rothes [here recorded]. Bounded as follows: All and haill that part and portion of the lands of Cattaills bounded at the north by the burn of Tyock from the bridge upon the said burn in the middle of the highway that leads from Elgin to Muretown of Linkwood and goeing up the said burn as it presently runs from the said bridge to the west-most end of the Cattails which burn is the north march of the said lands and at the west by the found of an old dyke and ditch formerly built and casten by the deceast William Paull, merchant, and one of the ballies of Elgin to divide his lands of Cattails from the commonty of Elgin which dyke and ditch runs from the burn of Tayock along the west end of the Cattaills to another dyke and ditch which divides the lands of Cattails from the commonty of Elgin at the south and which dyke and ditch begins on the south side of the westmost part of the Cattails and runs eastward therefrom twixt the lands now feued of to James Warden, merchant in Elgin, and the saids lands of Cattails untill it comes to a part of the said Cattails formerly disponed by the said deceased William Paul to William Ross sometime ballie of Elgin now belonging to the said John Duff which is divided from the other part of the Cattails by a dyke and ditch passing northward as the said dyke and ditch runs to a part of the Cattails formerly possest by James Leslie in Hungryhall now by John Sutherland, wigmaker in Elgin, and from thence passing eastward by a ditch which divides the lands presently possest by the said John Sutherland from the said lands now belonging to the said John Duff until it comes to the forsaid highway which leads from Elgin to Muretown of Linkwood from thence passing northward by a ditch upon the west side of the said highway to the bridge upon Tyock formerly mentioned where the said bounding began.

July 27th.—The baillies have bought from William Simpsone, junior, merchant in Aberdeen, 100 bolls Dutch oats at £8 15s. Sc. per boll.

August 3rd.—The Magistrats have bought 100 bolls oatmeal from Charles Hay of Rannes and James Thain, merchant in Banff, at £9 Sc. per boll.



St Giles. East view

St. Giles. West view

Between Candlemas and Lambmas, 1741, the Toun Council bought 899 bolls meal and bear for £8089 17s. 4d. Loss sustained thereon £685 12s. 4d.

1742.

October 25th.—James Ogilvie (eldest son of the deceased James Ogilvie of Pittensear and his spouse Margaret Stuart) and his spouse entered to the lands of Pittensear *i.e.* the half davoch of the lands of Pittensear commonly called Easter Pittensear.

The Council fix the duty of each boll of malt brought to the town for sale from the country at 5d. Sterling.

1743.

February 21st.—James Ogilvie of Pettinsear entered to two aughten part and Kemp's acre which belonged to Archibald Chalmer of Petenseir which are disponed to him by John Duff, merchant in Elgin and Helen Chalmer, sister german to the said Archibald Chalmer which entry and composition therefor was given by the Toun Council to the said James Ogilvie upon the consideration of his services and father's to the town.

October 3rd.—John Laing who was Commissioner from this burgh to the Royall Burrows presented to the Councell the resolution of the Convention of the Royall Burrows dated the sixth day of July last anent the discourageing and preventing the excessive and universall use of tea and foreign spirits which resolution was publictly read in Councill and appointed to be recorded in the Councill books this day. The Council record their opinion that a law should be obtained and past preventing the excessive and universall use of tea and foreign spirits.

Resolution of the Burrows: "The Convention haveing taken under their serious consideration the unhappy circumstances to which this part of the United Kingdom is reduced through the universal and excessive use of Tea and foreign spirits to which all Ranks even the very meanest of the people are tempted by the low prices at which such commodities when run are afforded by the smugler and observing with deep concern that the unrestricted use of such foreign goods for the purchase whereof

the coin of this country has year after year been exported till at last the scarcity of bullion is very sensibly felt has in a great measure supplanted the consumption of malt liquors and spirits made of grain, the growth of this country whereby the value of barley and all grains fit for malting must necessarily be reduced to the very great and unavoidable loss of all landlords and farmers over the kingdom and is manifestly the cause of the shortcoming of the duty of Two pennies on the pint in all the Royal Burrows that have obtained grants of such dueties as well as of the remarkable sinking of the publick Revenues which do not produce at present sufficient to answer the annuity provided by Act of Parliament for promoting fisheries and manufactures and being under the strongest and most melancholy apprehensions that this destructive practice if not speedily and effectually prevented will compleat the ruin of this country and blast all the hopes that were entertained of retrieving it by promoting manufactures Have unanimously resolved" to consider means of correcting this evil by applying to Parliament, &c.

The Guildrie and Trades petition the Toun Council anent the decay of Trinity Fair of Elgin, one of the best mercates, if not the first, throughout the year, having suffered by a mercate set up at Keith and kept the week before certainly with a design to supplant and undoe our Trinity mercate as their other mercate called Summer Eve's Fair was to ruin our Saint Giles mercate. They petition that no inhabitant be allowed to countenance the said market at Keith "under such penaltys as your Honours shall judge proper."

At a Head Court it was agreed to hold Trinity mercate upon the last Tuesday and Wednesday of May in place of the first Tuesday and Wednesday of June and "the whole meeting unanimously agreed that none of the inhabitants shall for the space of five years buy or sell at the new mercate of Keith under a penalty not exceeding fourty pounds Scots without a Licence from three of the Magistrats."

November 28th.—James Robertson, merchant, entered gratis to two aughten parts which pertained to the deceased Alexander Brodie of Tilleburies and were disponed by George Brodie, eldest son of the said Alexander Brodie in respect the said James Robertson did in the year 1740 being the time of dearth and scarcity sell to the town for the use of the poor a certain quantity of meall at a lower rate than what the Councill bought from others.

1744.

January 23rd.—The treasurer is appointed to send advertisements to the several parishes upon Speyside and to the westward and also to advertise in the Courant and Caledonian Mercury that Trinity Fair in Elgin is to be held yearly upon the last Tuesday and Wednesday of May.

April 2nd.—The Councill appoint the Toun's Statutes to be published Fryday nixt over the Cross by ordering the drum to intimat the same.

June 6th.—The Councill having considered a pamphlet transmitted by the Lord Provost of Edinburgh to the magistrates here wherein the pernicious and destructive consequences of smuggling foreign comodities particularly tea and brandie are sett furth in the most evident and clear light and being perswaded that the continued practice of smuggling said comoditys particularly tea and brandie has not only sett aside the fair trader from dealling therein but must unavoidablie terminat in the ruinous destruction of the nation by draining it wholy of its coyne being sent of the country to purchase that the immoderat and excessive use whereof if not put ane effectual stop to must for want of consumpt reduce our grain the cheif and principall comoditie of our country to the lowest price yea make it a drug upon the hands of gentlemen and farmers and being sensible what a great hindrence the runing of foreigne goods is to the fishing all over the nation They doe unanimously Resolve to discourage to the outmost of their power for the future the smuggling of all foreigne goods particularly such as interfier with or hinder the consumption of our naturall product and especially of tea and brandie that so the excessive and immoderat use therof may be prevented and doe exort all the trading persons and inhabitants of this burgh to resolve in like manner upon what seems to be absolutly necessar for the good of the Nation.

[Bond by the deceased James Brodie of Whitehill and James Brodie in Monaughtie for 2000 merks lent them by the magistrates out of the impost upon the two pennies in the pynt.]

1745.

April 15th.—The Councill being informed that the high wayes leading to the town are much damaged so that horse and carts cannot conveni-

entlie travell and that the school port is in danger of falling appoint a committee of inspection.

The Council appoint John Duff, merchant, to purchase 150 bolls oatmeal.

May 13th.—The meal bought at £6 Sc. the boll (8 stone per boll) and to be sold to the inhabitants at 1d. Stg. the pound Scots.

June 17th.—The Bow Bridge at the west end of this burgh being in great danger by the current of the water of Lossie undermining the foundation of the south side of the said bridge and workmen of skill stating that the throwing in of ane competent number of stones of quarrie rubbish will be sufficient the Town Council make arrangements for this being done.

July 23rd.—Perambulation of the mosses of Mostowie at a Head Court. The magistrates find encroachments made especially by the Duke of Gordon's tenants of Legate. John Gordon, factor to the Duke writes insinuating that they have a right, therefore the magistrates to assert the town's right and to prevent such incroachments in time coming ordered such of the peats as were dry and could be carried to be led to the town of Elgin. List of the persons (35 in all) who destroyed the peats:—Laurence Sutherland son to Laurence Sutherland of Greenhall, Alexander Ogilvie son to John Ogilvie, post in Elgin, John Purse son to Alexander Purse, staymaker, Robert Philp, son to Hugh Philp, glover, &c.

List of the persons (9 in all) who led the peats:—William Batcho, hyrer, &c.

List of the witnesses to the above:—Evander McKiver, shoemaker, Mr. James Munro, master of the Grammar School, with many others.

September 2nd.—The Magistrats and Councill considering the danger of allowing lead, powder and ball to be in the possession of privat persons at a tyme when it may be seized and made a bad use of unless it be taken into publick custody doe therfor for obviating any inconveniency that may insue order and appoint the Dean of Gild and thesaurer to visite the shops and warehouses of the merchants within this burgh and to take and receive from them what amunition they shall find in their said shops etc. and to grant their recepts therfor and which ammunition they are to cause carry and loge in the fifth vault of the tolbooth of this burgh until the Magistrats and Councill give further orders. The Councill

further recommend to the magistrats to constitute guards of the Burgeses and inhabitants or to appoint a certain number of them to keep watch in the night tyme for the preservation of the peace of the burgh and to give such order and instructions theranent as to them shall seem proper and the exigency of the tymes shall require and for that end appoints a generall List of the Inhabitants and burgeses to be made up. The Councill further recommend to the Magistrats to make such ordinance anent the delivery up of the said amunition as that the whole quantity in private hands may be delivered up and that none shall be sold without a licence from the magistrats.

[September 10th.—Sir Harry Innes of Innes wrote to Mr. Grant (son of Sir Ludovick Grant of Grant) from Elgin: "We ar hear in a perpetuall alarm for Glenbucket; he took some of the Duke of Gordon's horses and arms this morning . . . This allarm and search for horses has determined me to send mine under your protection." From *Chiefs of Grant.*]

November 18th.—The Councill takeing it to their consideration the expediency and usefullness of haveing a well in the midle of the town for the conveniency of the inhabitants especially for extinguishing fire they resolved to build a well in the most convenient part of the High Street according to the breadth or diameter of the well called the New Well near the Litle Cross.

December 2nd.—A guard to be appointed for Tuesday and Wednesday being ane publict mercat tym 15 men upon Tuesday and 24 or 30 on Wednesday from nine in the morning till the nightly guard sett to prevent any violence or disturbances that may happen.

[There are no minutes of Town Council extant between 2nd December, 1745, and 19th May, 1746. Prince Charles Edward Stuart arrived at Elgin from Inverness in the middle of March, 1746, and spent eleven days there and at Gordon Castle where he was befriended by Lord Lewis Gordon, but not by his brother the Duke of Gordon. He returned to Inverness before the close of the month.

"While in Elgin the Prince lived in Thunderton House then occupied by Mrs. Anderson of Arradoul. When on this visit he became very ill, and was in danger for two days. The usual remedy of the period (bleeding) was used and the inflammatory cold was checked, which a writer of the day states 'caused a joy in every heart not to be expressed.' Mrs. Anderson of Arradoul (Rebecca Dunbar), invariably called Lady

Arradoul, was the eldest daughter of Archibald Dunbar of Thunderton. She first married Robert Gordon, grandson of Sir Ludovick Gordon of Gordonstown, by whom she had several daughters; and, secondly, Alexander Anderson of Arradoul in Enzie. She was a great Jacobite, and so much attached to the Prince that she carefully preserved the sheets in which he slept, and directed her own body to be wrapped in them at her death, a request which was carried out. Her female servant who then attended the Prince, married John Batchen, auctioneer in Elgin, lived to the age of 106, and related these events to persons still alive." (Young's *Annals of Elgin:* 1879.)

"In anxious letters from Sir Harry Innes and the Magistrates of Elgin, dated 28th Decr., 1745, Mr. Grant [son of Sir Ludovick Grant of Grant] was requested to march his clan to their neighbourhood for their protection but in face of what had already passed he did not feel justified in doing so. The Magistrates complained that Macleod was marching away from their town towards Inverness, leaving them exposed to the oppression of the rebels and that unless they received protection from Mr. Grant they and the principal inhabitants would require to remove with their effects to some place of safety especially as 500 rebels at Strathbogie uttering threats of heavy vengeance were ready to commence an attack. Sir Harry Innes wrote in support of this appeal. In his reply to the Magistrates on the 29th, Mr. Grant assured them of his inclination to serve them and narrated the circumstances of his former march which was intended to protect their town and neighbourhood and the discouragement he had from those in authority. He however was of opinion that the people of Elgin had no cause to be alarmed unless a much larger body of the rebels came from Aberdeen to join those at Strathbogie as the latter would never venture to cross the Spey when Mr. Grant was above them and Lord Loudoun so near them. He anticipated that though Mr. Macleod had marched to Inverness Lord Loudoun would send sufficient force against the rebels at Strathbogie. With respect to himself Mr. Grant adds: 'In the situation I am at present I am uncertain whether I am to be attacked from Perth or by those at Aberdeen and Strathbogie for my late march. I dare not promise to march with any body of men but in concert and with Lord Loudoun's directions and at the same time I have demanded to be assisted with arms and encouraged to keep my men in the proper way.' Mr. Grant

and the men under him remained at Strathbogie for some weeks until about 10th April and joined the Duke's army at Cullen next day. His party then proceeded to Elgin while he himself resolved to return home and raise the rest of his clan to join the royal forces." (*Chiefs of Grant*, I., 425.)

1746, February 16th.—Letter, Ludovick Grant of Grant to Sir Everard Falkener sending intelligence: "The best intelligence we have had of the division of the rebells that are comeing by the coast makes them to be about 2000 who took different roads, through the shires of Aberdeen and Banff in order to pick up some monies and influence some more people but without, as we hope and have some reason to believe, much success as to the people, and that they were to be united last night at Fochabers and this night, the 15th, at Elgin, commanded by Lord George Murray, John Roy Stuart, Lord Ogilvie, Lord Pitsligo, Lord John Drummand and others." (The *Chiefs of Grant.)*

The rebel army caused great annoyance throughout Morayshire from 16th February to 11th April, 1746. They occupied the House of Gordonstown and carried Sir Robert Gordon a prisoner to Elgin, where he was detained for ten days and thence he was taken to Inverness.

"Elgin, 5th March, 1746. Received from John Brander, Town Treasurer of Elgin, Thirty two pound seven shillings four pence Ster. as two terms Cess of the Town of Elgin due the 29th September and 25th December one thousand seven hundred and fourty five years therefore the same is discharged by me as having power from the Secretary to His Royall Highness Charles Prince of Wales, &c. JO. GOODWILLIE.

"Sir,—You are hereby ordered to pay unto Lord Pitsligo or the Commanding Officer for his Royall Highness here all the Town cess due and that before Eleven o'clock tomorrow forenoon under the pain of military execution. Given att Elgin of Murray the 28 Febr., 1746. By his Highness Command. J. MURRAY."*

On 13th April, 1746 (Sunday), the Duke of Cumberland marched through Elgin, but did not halt till he reached the moor of Alves. On 16th April was fought the battle of Culloden.]

* From the *Cadgutt*.

1746.

May 19th.—The Councill recomend to the Magistrats to cause draw up ane Address to His Majestie King George anent the troubles suffered by the Nation in generall and this Burgh in particular from the Rebells and to congratulat his Majestie for our happie deliverance therfrom.

September 15th.—The Town Council taking to their consideration the good offices and assistance given to the magistrates of this Burgh in the late troublesome time by William Burnet, present Town Clerk, and the great trouble he has otherwise taken upon himself in performing of publick service appoint him conjunct clerk during life.

October 6th.—A petition having been presented in favour of rouping the vacant office of conjunct town clerk as was done before in Edinburgh and in this burgh that thereby at this time the debts of the town may be eased and 500 merks or more be got, it carried by plurality of voices that it be not rouped.

November 27th.—The Magistrats to treat with James Russell, mason, to build a bridge upon the burn of Tyock on the road that leads to Linkwood and another bridge upon the ford of the road that leads to Walkmiln.

James Russell offers to build the bridge leading to Linkwood 12 foot broad and 12 foot of a causay at each end and the other 18 foot broad and 12 foot of a causay at each end and three foot of a wall at each side of both bridges for £18 Sc. for his own pains and £8 Sc. for a barrowman the town furnishing and leading all necessary materials. The Town Council accept the offer.

1747.

February 2nd.—The Council allow James Thain, tacksman of the Petty Customs £10 Stg. in consideration of his losing a considerable part of the customs when there were no mercats during the time of the rebels' stay in this place.

July 13th.—The Provost reported that there had been a proposal made to him by some of the country gentlemen and their tenants to

rebuild the bridges over the cannals from the Loch of Spynie to Lossie and that the County Heritors and their tenants agreed to furnish and lead all the materials for building the said bridges and to cast and red the found and to furnish barrowmen provided the town would pay a mason for building the said bridges. Agreed to.

July 27th.—Perambulation of the marches betwixt the town and the heritors of Linkwood, Muirytack and Main. Several encroachments appearing the town's cadget to be searched for bounding evidents.

September 28th.—The Council appoint the four baillies to take each of them a quarter of the town and to inspect the inhabitants' houses for lint and other combustible stuff and the shops for powder and to put the same in sure places to prevent any accidents happening by fire.

October 3rd.—The big bells and mortcloaths rouped for a year for £78 12s. Sc.

November 16th.—It being reported in Council that as there was a necessity for taking a Hospital for the sick men of the troops lying here the provost had taken the laigh flat of a house belonging to James Wiseman, writer, at the rate of one shilling sterling per week and that it being necessary to imploy another place for the use of the surgeon and nurse the Councill appoint the treasurer to pay the rent of the house already taken and authorize the magistrats to take a house for the use of the surgeon and nurse and appoint the treasurer to pay such rent therefore as the Magistrats shall agree to for the same not exceeding 6d. per week.

The Council considering that whereas the statutes formerly made for preventing fire have hitherto proved ineffectual and that a practice has prevailed of late of thatching houses with heather whereby the neighbouring houses are in the greatest danger enact that in all time coming no house shall be thatched with heather within this burgh under the penalty of £50 Sc. to be paid by the proprietor and £10 Sc. by the workmen employed in thatching such house besides imprisonment of the landlord.*

December 21st.—The Council appoint the magistrates to write to the Lord Advocate desiring he may be pleased to write a Memorial to the Secretaries of State and Justice General anent having one of the Circuit courts at this place.

(*) Cf. 28 July, 1735 (*supra*).

1748.

The Council appoint two terms cess to be levied anew which the Rebels had levied from the inhabitants according to the stent roll of the cess for the 24th June, 1745, which the rebels obliged John Brander collector of the cess to exhibit and to attend the collecting thereof. The Council appoint that it be paid to prevent the toun's being quartered upon. John Brown had an order from Secretary Murray threatening military execution if it were not paid.

The Town Council give £8 10s. Sc. discount to the Horse postmaster for the year from Whitsunday, 1745, to Whitsunday, 1746, he having been a loser by reason of the late Rebellion's putting a stop to all travelling during that period.

March 14th.—The town's Agent has received £2 12s. 4d. Stg. in part of the damage done by St. George's Dragoons to several people's windows.

July 4th.—The Magistrats appoint to ride the marches betwixt the town and the lands of Main and Longhill and Breadhill.

August 22nd.—The Council allow the tenants of Leggat the present use of the Moss of Mostowie until the matter is settled as the Duke of Gordon is at present abroad.

The Magistrates reported that they with 40 burgesses [here named] and several other burgesses had perambulated the marches betwixt the town and Main and found that the tenants of Bilbohall had made an incroachment upon the town's lands at that piece of land called the Flowers and that the stone at the end of the dyke of the muir with several other march stones which had been seen by people present were removed. Thomas Hutcheon, glover, declared to them that about 43 years ago he seed the stone on Duffushillock sett by Lord Duffus when Provost and that the hill took its name from that.

September.—List of arms lodged in the store house at Elgin for the use of the Government by General Bland's orders and for which the provost gave his recept and Leutenant James Gage 16th September instant viz. 151 firelocks, 10 baynots, 23 pistols, 57 broad swords, 12 small swords, 19 durks, 4 hangers and 4 targets of which arms severals are out of repair for want of locks of some of the guns.

November 7th.—The treasurer has paid £4 10s. for building the bridges at Caysbridges.

1749.

July 3rd.—The Council considering that there are several incroachments made by the tenants of the Leggat and others upon the town's mosses of Mostowie appoint a visitation.

August 14th.—At the visitation instruments of interruption were taken against the tenants of the Leggat. Some of the peats were broken and others casten into the pots. Two of the inhabitants of Mostowie who had made corn lands of the moss ground had been fined before the Baillies.

July 2nd.—The mosses of Mosstowie to be visited on Thursday next and the tenants of Mosstowie and Hillside to be summoned to attend. The Council appoint Saturday next for the perambulation of the marches betwixt the lands of Main, Glassgreen and Linkwood and appoint intimation to be made to all the burgesses to attend the magistrates at the said visitation and perambulation under the penalty of four pounds Scots each absent burgess.

August 13th.—A committee is appointed to write Lord Braco in reference to the incroachments by his tennants on the Moss of Mostowie. The magistrates are recommended to write Lord Braco to settle marches betwixt the laboured lands and the Moss of Mostowie and also to beg the favour of his Lordship to take off the prohibition from his tennants in Pluscarden and Coxtown from carrying peats to Elgin.

September 17th.—The sett of the burgh of date 8th July, 1706, here recorded.

1751.

January 3rd.—The bailies reported that on 30th November last they entered into a tack with the fishers at Lossiemouth whereby the magistrates had set them a tack of the boats and houses, the boats to be renewed by the Council at the end of every seven years, the fishers to pay £60 Sc. yearly as the rent of the boats, £2 10s. Sc. each in name of teind fish and six dry cods each and to maintain the boats and houses on

their own charges and to subject themselves to the jurisdiction of the magistrates.

June 13th.—*New Method of Burying. Sallies first appointed.* The provost represented that the present method of carrying corps to the grave upon spokes or poles being not only inconvenient but burdensome and troublesome to the friends and relations of the deceased that in order to prevent such inconveniences in time coming proposed in Council that the toun should employ six able bodied men for supporting and carrying the corps and that there shall be provided for them black gowns to be given out at these times which being considered by the Council they agree to the proposal and authorize the magistrates to employ men for that purpose and to furnish cloth and to cause make gowns for them and declare the following fees shall be payed by every one who shall employ these people and gowns viz. a shilling for each of the men and sixpence for each of the gowns.

August 26th.—Meal to be sold by weight and not by measure as frequent complaints have been made on account of it being sold by measure.

September 30th.—The Council appoint the bailies in their visitation of the town for flax, lint, gunpowder and other combustible stuff to take a list of the inhabitants and to inquire for the testimonials of such as they suspect to be idle people and cannot give an account of their way of living and to report to the Councill and recommend it to the baillies to acquaint the ministers of the tyme they are to visit the town as above that they may send some of the elders or member of the Session in order to inquire as above into the characters of persons suspected to be vagrants or idle people.

December 2nd.—The Council authorize the magistrates to purchase 300 bolls of meal for the benefit of the burgesses from Lord Bracco or any gentleman in the county to prevent any scarcity on account of people's buying up corn for export.

December 14th.—In terms of the Act of the Royal Burghs Provost Brodie is appointed to act with representatives from the burghs of Inverness, Forres and Nairn to inquire into the state of the burgh of Nairn and distress they are put to by the process at the instance of the heirs of the deceased Mr. George Irvine, late Agent of the Royal Burghs,

for the arrears of missive dues said to be due by the town of Nairn and the difficulties they are put to on that account.

[Hereafter modern spelling is for the most part adhered to.]

1752.

February 17th.—The Council considering the great abuses and encroachments made upon the Mosses of Mostowie and to prevent all such in future they appoint John Lamb, farmer and proofman in Elgin to be overseer and moss grieve of the mosses of Mostowie. Salary £24 Sc. for one year.

The Council intimate to Lord Braco that they will accept of 300 or 350 bolls of his ferme meal. The Council agree to offer 100 bolls of said meal to the Trades in terms of their request at the price to be paid by the town [10 merks Sc. per boll].

The Council authorise a freighting boat to be purchased for James Edward, skipper at Lossiemouth, the fishers of Stotfield being allowed a freighting boat by Lord Lyon.

August 24th.—The Council give a tack for nineteen years of that piece of the ground on the south side of the Little Church betwixt the supporters thereof of about five or six feet square for building a booth for the yearly payment of 12s. Sc.

Rate of the Petty Customs of the Burgh of Elgin agreed upon by Act of Council the 24th August, 1752:—

Beasts Wild and Tame. Ilk horse 2s. Ilk ass, mule or colt two years old and upwards 1s. Ilk foal under two years old 6d. Ilk ox or cow or two stirks 1s. Ilk calf two years old and under 4d. Ilk swine, one year old and upwards 1s. Ilk sheep or goat 6d. Ilk gryce, lamb or kid 2d. Ilk swan, turkey or pea fowl 6d. Ilk goose or two capons 4d. Ilk three hens, four ducks or five capons, 4d. Ilk two pair of chickens or six pair of pigeons 2d. Ilk nine pence value of all other wild or tame fowl or birds 2d.

Cloth and yarns, woollen, linen, cotton and silk. Ilk eln woollen cloth milled or unmilled, forty eight pence value and upwards 8d. Ilk eln ditto thirty pence value and upwards to forty eight pence 6d. Ilk eln eighteen pence value and upwards to thirty pence 4d. Ilk eln

ditto fourteen pence value and upwards to eighteen pence 3d. Ilk eln ditto from nine to fourteen pence value 2d. Ilk barred or plain plaid nine elns and upwards, little and heel spun 1s. 6d. Ilk tartan bed or black plaid ditto 2s. Ilk barred or plain plaid or blanket nine elns and upwards big and heel spun 1s. Ilk eln linen cloth from seventeen to twenty hundred threads in the warp 4d. Ilk eln ditto from ten to fourteen hundred to seventeen hundred threads ditto 3d. Ilk eln of all stuffs or checks from fifteen to twenty pence value ditto 3d. Ilk ten penny value of all other cloths, stuffs, yard, thread, green or whitened, dyed or undyed, whether woollen, linen, cotton or silk 2d. *Nota.* The standard for the foresaid ell is that called the Plaiden ell which is 38¾ inches. The ell in use in the south of Scotland is but 38 inches and the yard 37 and called the Scots ell and yard according to the [blank] standard. The English or London ell is 45 inches and the yard 36, their ell is not used in Scotland but their yard is. All the foresaid inches are according to the English or London standard.

Fish. Ilk cart load or two cross horse loads ditto of white fish, green or dry, excepting salted cod or ling 1s. 4d. Ilk creel or pock, a back burden, ditto 4d. Ilk sixteen pence value of salted cod or ling or lobsters 2d. Ilk cart load or two horse back loads of herring 2s. Ilk creel or pock, a back burden ditto 6d. Ilk cart load of two back horse loads of mackerel 3s. Ilk creel or pock a back burden ditto and less quantities in proportion 9d. Ilk cart load or two back horse loads of salmond or grilse 4s. Ilk creel or pock or back burden ditto and less quantity in proportion 1s. Ilk creel or pock a back burden of oysters 1s. Ilk creel or back burden of mussels or cockles 2d.

Flesh. Ilk carcase of ox or cow beef 2s. Ilk huddron or stirk or three calves ditto 1s. Ilk old swine ditto 1s. Ilk lamb, kid or [blank] ditto 2d. Ilk hare or two rabbits carcases and skins 2d.

Fruits and Roots. Ilk firkin of apples and pears 6d. Ilk firkin of cherries, geans or plums 4d. Ilk firkin of gooseberries or red, white or black berries 2d. Ilk firkin of onions or sybowheads 9d. Ilk firkin of potatoes or two firkins of turnip. *Nota.* This firkin is twelve inches wide at bottom and mouth and contains eighteen pints jug measure which is equal to nine gallons English wine or beer measure or eight gallons ale.

Grains. Ilk boll wheat or flour 3s. Ilk boll rye or pease, beans or meal of ditto 2s. Ilk boll oats or oatmeal 2s. Ilk boll bear or two bolls

of meal ditto 2s. Ilk boll of struck pease, beans, oats and bear 4s. Ilk boll hazel nuts 2s. 6d. Ilk boll of juniper berries 2s. Ilk boll of mustard seed 4s. Ilk ninepence value of all home grown lint or hempseed 2d. Ilk ten pence value of all garden seeds 2d. *Nota.* This corn firlot is 22 inch 2-eighth inches wide at top and bottom and it is 8 inches 1-eighth deep and contains 32 pints jug measure, the small and flour firlot is 19½ inches wide and 7½ inches deep and contains 22 Scots pints jug measure the peck and lippie is in proportion and all of equal wideness at mouth and bottom and all according to the Scots or Linlithgow measure.

Mixed articles sold by Tron or Troy Weight. Ilk stone of salted butter or two stone of dried cheese 8d. Ilk horse back load of fresh butter and less in proportion 3s. 4d. Ilk horse back of green cheese and less in proportion 1s. 8d. Ilk horse back of fresh butter and green cheese 2s. 6d. Ilk stone of best combing wool and coarser and shorter in proportion 2s. Ilk stone of Downs or two stone of feathers 2s. Ilk stone of bees' wax and home-grown liquorice 2s. Ilk stone of rand tallow or one stone one quarter rough ditto 8d. Ilk stone walked or warn wool 4d. Ilk stone of once heckled lint and tiner and hards in proportion 1s. 6d. Ilk stone of once heckled hemp and tiner and hards in proportion 1s. *Nota.* The above mentioned stone is Trone or market weight which is stone and pound being in all 17 pounds which is equal to 21 pounds 4 ounces shop weight called Old Scots or Amsterdam weight or 23 pounds 9 ounces and 12 drops Avoirdupois or English weight.

Mixed Articles of different Denominations. Ilk cart load of home-made earthenware and less in proportion 2s. Ilk pint of aquavitæ or gin or any home stilled spirits 2d. Ilk pint of brandy or rum or any other foreign spirits 4d. Ilk cart load of turnips, carrots or onions with tops and heads 1s. Ilk cart load of cabbage or any other kale or pot herbs 6d. Ilk cart load of green corn and less in proportion 6d. Ilk cart load of grass or straw and less in proportion 2d. Ilk cart load of brackens or thatching heather 2d. Ilk cart load or two back horse loads of lime 4d. Ilk pint of bee honey 6d. Ilk two pints of fish or train oil 3d. Ilk dozen ox or cow horn spoons or three dozen sheep or goat ditto 6d. Ilk ten pence value of all copper, brass, pewter, iron or wire work or of saddles, bridles all coach or waggon graith or saddler work of any kind, all stays, bodies, pockets or other tailor work, all gloves, breeches, purses or other glover work [blank].

Skins. Ilk ox or cow hide or skin, green or undried 8d. Ilk huddron or stirk or two calves' skins ditto 2d. Ilk horse, ass, mule or deer or three roe skins ditto 3d. Ilk sheep, goat, swine or two kids or lamb skins ditto 2d. Ilk dozen of ox or cow skins salted 4s. Ilk dozen of ox or cow skins dried 3s. Ilk dozen of stirks, horse, asses, mules, or wild buck or three dozen roe skins 1s. 6d. Ilk dozen of sheep or two dozen slaughtered lamb skins ditto 1s. Ilk dozen swine or goat or two dozen kid skins ditto 8d. Ilk dozen of calf, badger or dog skins ditto 6d. Ilk dozen fox or fresh water otter skins ditto 2d. Ilk dozen selch or salt watter otter skins ditto 1s. Ilk dozen kitt (?) or whessell (weasel) skins 6d. Ilk dozen of swan's skins 1s. Ilk dozen of hare and rabbit skins 4d. Ilk dozen of mort lamb skins 2d. *Nota.* By the above is meant the best of their kinds, right seasoned and free of damage, by killing, fleecing, drying, keeping or carriage and what is wanting by goodness is to be made up by number. The general rules are sucked cow and drawing ox sheep skins right wooled, wild leather and furs are reckoned best in the months ending with R.

Shoes. Ilk pair of men's shoes bend soles or two pair women's ditto 6d. Ilk pair of men's or women's shoes double soles of brogue leather 3d. Ilk pair of brogues for men or two pair ditto for women 2d. Ilk two pair of shoes for children 2d.

Stockings. Ilk pair of stockings for men or two pair of women's little wheel spun 4d. Ilk pair of men's or two pair women's stockings big wheel spun 2d. Ilk four pair of stockings for children 2d. Ilk two pair of woollen gloves for men or women, or one pair ditto cotton 2d.

Wood. Ilk cart two bodies or two pair of wheels ditto 1s. Ilk sledgè or two bodies or two pair of wheels ditto 6d. Ilk two axle trees for cart or sledge 2d. Ilk plough or three beams ditto 6d. Ilk harrow hand or peat barrow 2d. Ilk boxed wheel barrow 6d. Ilk little spinning wheel, two big wheels ditto or two check reels 1s. Ilk cart load or two horse back loads of mire fir trees 8d. Ilk cart load or two horse back loads of deals or boards 1s. 6d. Ilk three dozen of mire fir cabers or six dozen lath ditto 2d. Ilk dozen of birns for hoops &c. 2d. Ilk cart load or two horse back loads of sparwood or logs 1s. Ilk ten pence value of all cart, sledge, plough or mill graith or other cartwright work, all chests, chairs, stools, spades, staves and other square wright work, all tubs, ceas (? seys), kirns, kits, stoups, cogs and other cooper work, all dishes, trinchers, caps,

ladles, boxes, spindles, forels and other turner work, all riddles, sculls, creels, mauns (maunds), beescaps, bedmats, coverlids, sowms, thramels, rigwoodies, tethers, wallropes (walkropes), thrawn wawns (wands) and all other wood or work of wood, straw, bent or rushes of whatever kind or denomination 2d.

MERCHANDISE.

Dye Stuffs. Ilk hundred weight coperas 6d. Ilk cwt. dyeing galls or winestone or three cwt. of alum 2s. 6d. Ilk cwt. brown Brisiell (Brazil) wood, sweet wood, yellow wood or fustic 8d. Ilk cwt. of rock or fifty pound weight of fig Indigo 14s. Ilk pound weight cochieneal or twelve pound weight of aquafortis 1s.

Flax. Ilk cwt. unheckled lint and finer and hards in proportion, 2s. Ilk ditto hemp 1s. Ilk cwt. of ropes or 50 pound weight pack thread or twine 1s. 4d. Ilk hogshead of foreign lintseed 3s.

Fruits. Ilk cwt. currants, raisins, figs or almonds 1s. 8d. Ilk cwt. prunes, chesnuts or walnuts or carrasow apples 1s. Ilk chest of oranges or lemons 1s. 4d.

Glass. Ilk chese of fine window glass and coarser in proportion 2s. 6d. Ilk gross best fine glasses or larger in proportion 1s. Ilk gross of chopin bottles and less or larger in proportion 1s. Ilk twenty four pounds Scots value of all other sizes or kinds of looking glasses or glass-work 2s.

Leather. Ilk cwt. of bend or brogue leather 4s. Ilk dozen hides of ox or cow leather tanned or almed 4s. Ilk dozen horse, ass, mule, stirk skins tanned, curried or almed 2s. Ilk dozen calf, swine, wild buck or three dozen roe skins ditto 1s. Ilk dozen sheep or goat or two dozen lamb or kid skins ditto 2d. Ilk dozen selch, badger, otter, dog or swan skins ditto 3d. Ilk twenty four pound Scots value of all other leather or skins or work thereof 2s.

Liquids. Ilk hoghead of aquavitæ or gin or any other home stilled spirits 6s. Ilk hoghead of rum, brandy or other foreign spirits 12s. Ilk hoghead of red or white wine 8s. Ilk hoghead of made cyder, perry or black beer 3s. Ilk hoghead of wine or beer ager (wynakir, vinegar) 3s.

Metal. Ilk cwt. of new copper or brass or two cwt. old ditto 6s. Ilk cwt. best pewter new or two cwt. old ditto 3s. Ilk cwt. new bell or candlestick metal or two cwt. old ditto 2s. Ilk cwt. bar or cake lead or

shot new or two cwt. old ditto 1s. Ilk cwt. white or red lead or steel 1s. 6d. Ilk cwt. iron pots or bushes for cart wheels 1s. Ilk dozen dripping or frying pans or large iron girdles and less in proportion 2s. Ilk dozen shearing hooks or wool shears and all other iron work in proportion 2d.

Mixed Articles. Ilk cart load of earthen or stoneware foreign or home made 3s. Ilk cwt. of tea or two cwt. of jackolet or coffee beans 16s. Ilk cwt. of hops, beewax or black powder 3s. Ilk cwt. combing wool and shorter in proportion 3s. Ilk birn of best writing paper or cartridge and all other kinds in proportion 6d. Ilk cwt. of loaf or roll tobacco and stalks or snuff in proportion 2s. Ilk cwt. cut and two cwt. uncut cork 5s. Ilk cwt. of starch or rice 1s. 3d. Ilk cwt. hard soap or one barrell soft ditto 2s. 6d. Ilk cwt. feathers or fifty pound weight of downs 1s. 3d. Ilk thousand goose or corbie or 500 swan or eagle quills 2d.

Oil. Ilk hoghead lintseed or olive oil 4s. Ilk hoghead of train or fish oil 2d.

Rosin. Ilk cwt. of pitch, two cwt. rosin or two barrels of tar 1s. 6d. Ilk cwt. of best turpentine and other kinds in proportion 2s.

Spiceries. Ilk hundredweight pepper 4s. Ilk cwt. ginger, anise carvie (caraway) or coriander 1s. 6d. Ilk cwt. cinnamon, nutmeg or clew (clove) or fifty pound weight of mace £2. Ilk pound weight of saffron 1s. 6d.

Sweets. Ilk cwt. of common loaf or black sugar 2s. Ilk cwt. white or brown candy or best loaf sugar 3s. Ilk cwt. of best powder sugar and all other kinds in proportion 2s. Ilk cwt. of treacle or ginger bread 1s. Ilk cwt. of bee honey 2s.

Wood. Ilk cart load of knapell or wainscot planks 2s. Ilk cart load of all kinds of fir wood 2d. Ilk thousand pipe staves 8s. Ilk thousand hoops and all sizes of stings in proportion 1s. Ilk twenty four pound Scots value of all other wood or work made of wood 2s.

Chapman's Stands. Ilk chapman's stand eight foot wide and upwards during the fair and market 6s. Ilk chapman's stand from six to eight foot wide and covered, for ilk fair or market 3s. Ilk stand ditto from six to four feet 6 in. wide and covered, for ilk fair or market 2s. Ilk stand ditto from and under four feet six inches wide covered or open 1s. Ilk table or stool at backs or ends of stands or to a wall with chapman's

ware 6d. Ilk sweetmeat stand covered or two ditto open 2s. Ilk tradesman's or any dealer's stand with copper, brass, pewter, iron or white iron or wirework, or shoes, stockings, or any such like work or goods of whatever kind for ilk fair or market 3s. Ilk mountebank stage or any other stage, stand or table for plays ilk day 6s. Ilk puppy (puppet) or juggler play for ilk day it is acted 2s. Ilk day a hawker or baddler (? ballander) travels in this burgh selling hardware, stockings, pictures, maps, books, ballands, sweetmeats, &c. 1s.

Rules for regulation in exacting Toll or Custom. The value of severall articles are so little that comes to market for sale such as milk, eggs, partons, dilce, &c., and other things by use and wont have in all time bygone been free, such as salt, coal, &c., as also all meal or other provisions, goods or effects whatsoever (malt excepted) bought by the inhabitants from country people or others not formerly brought to town or intended for sale in the market; and all corns, straw, green lint, grass, keall (kale), herbs, fruits, roots, &c., the growth of the gardens or field land in or belonging to this burgh, as also all things of whatever kind belonging to the burgesses, their relicts and children who are actual residenters within the burgh and bear watch and ward, scot and lot therein all which are hereby declared to be free of all toll or custom in all time coming and none other persons or things excepting such only as shall be appointed to be free by the Magistrates and Town Council.

Tradesmen who are in use and wont to keep by them parcels of their work ready made for sale at all times have liberty if they so choose to set up a stand in the fair or market and expose their work to sale and sell the same for payment of the ordinary toll or custom as other dealers do but such as pay toll or custom for their work, goods or effects of any kind by toll (beasts excepted) are not liable in second toll or any other custom therefor until sold and in case of difference thereanent the oath of the owner is sufficient proof. Any person or persons going without the ports to interrupt and buy anything designed for sale in the market before the toll or custom thereof be paid or receiving any such into their houses and offering the same to sell therein or in the public market owning or under colour of their own of design to defraud the tacksman of the toll or custom thereof shall be liable in payment of double toll thereof and may be pursued therefor within any time not exceeding seven days thereafter. No goods of any kind brought to be sold in the

Fair within this burgh shall be bought up on said days by any inhabitants within this burgh or others before the hours of eight o'clock in the morning from 1st September to 1st April nor before the hours of seven o'clock in the morning from 1st April until 1st September under the penalty of £6 Scots for ilk such offence one half payable by the seller the other half by the buyer payable to the boxmaster of the Convener meeting for the use of the poor of several incorporations as they shall appoint to be divided. It is recommended to the Convener meeting that at their Michaelmas meeting yearly they name and make choice of six knowing and discreet tradesmen who are and shall be hereby impowered to inspect and judge concerning the sufficiency of all made work or its materials brought to fairs or market for sale by the makers thereof or their servants. But the sufficiency of all goods in custody of chapmen or other dealers and also of the weights and measures is to be judged by the Dean of Gild.

Regulations for the Flesh Market. No flesh is to be exposed to sale but in the shambles or street market only and having its head, horns, feet, skin and tallow with it, nor upon any day of the week but Friday and Tuesday only nor any part thereof sold in or carried out of the market upon said days before the hours of eight o'clock in the morning from Candlemas to Hallowmas nor before nine o'clock in the morning from Hallowmas to Candlemas under the penalty of three pounds Sc., &c., &c.

November 6th.—John Lamb's offer accepted of 1084 merks Sc. yearly for the petty customs for three years.

1753.

January 22nd.—The magistrates settle two fishermen at Lossiemouth in place of one dead and one superannuated.

The magistrates grant to John More, merchant, a nineteen years' lease of a piece of ground on the south side of the Little Church consisting of twelve foot square immediately be east the too fall at the east end of the shop lately built by George Shepherd, shoemaker, tack duty 1s. Stg. yearly.

January 29th.—The Council contribute ten guineas out of the common good to siler or plaster the New or big church of this burgh considering how convenient, decent and advantageous it would be to have this done.

February 7th.—Lord Braco agrees to sell the Magistrates 200 bolls meal for the use of the inhabitants at £7 Sc. per boll.

March 5th.—The entry of merchant burgesses and guild brethren settled to cost 50 merks Sc., the provost having power to create one yearly gratis and the provost and bailies or any three of them, the provost or eldest magistrate for the time being always one having power to compliment the freedom of this burgh to any person deserving the same, gratis.

April 2nd.—The Council considering that notwithstanding of the statutes made anent cleaning of the streets that the streets are kept very dirty appoint these statutes to be again intimated and allow the magistrates to dispose of any dung that shall at any time hereafter be found upon the street in any manner they shall think proper.

The High Church to be plastered at a cost of £26 Stg.

April 5th.—The provost intimated that since last night William Stewart and Robert Stewart his son had escaped from the prison of Elgin. Robert Leslie, one of the officers who had charge of the keys, having been by order of the Provost at once committed to prison, is brought before the Council and he admitted that though he had the orders of the provost and the rest of the magistrates to keep them in close prison he omitted to bolt and lock the iron door of that room where the prisoners lay but that he locked the inner door of the stair foot, the lock of which door he found this morning broken. Leslie is deposed and imprisoned. The prisoners' escape is advertised in the *Edinburgh Evening Courant* and the *Aberdeen's Journal* describing the persons and complexions of the prisoners and offering a reward of £20 Stg. to any that shall apprehend them.

August 13th.—Alexander Gray, wheel wright, appointed keeper of the town's clock at a yearly salary of £30 Sc.

October 1st.—The Council considering the great danger that may arise from the great number of dogs that are about this town especially as there are several mad dogs in the country appoint the statutes made anent keeping dogs and bitches to be intimate this day, also that all butchers, tanners and others who are entitled to keep dogs keep them within doors or if said dogs are found on the streets they will be shot.

The beddals are appointed to clean the church every Saturday. Every possessor of a pew to pay therefor 4s. Sc. yearly.

1754.

April 1st.—The churchyard grass is set for nine years at 20s. Stg. yearly. [1755, September 15th.—Dykes built and doors put on.]

September 30th.—The magistrates report that they had taken precognitions anent the manner of Gilbert Barclay, merchant in Cromarty his escape out of the prison of this burgh and that they had confined Alexander Ross, officer, and James Dougal who appeared to have been accessory to the escape, and that they had made intimation in the Aberdeen and Edinburgh newspapers offering a reward of £20 Stg. to any person who shall discover the said Gilbert Barclay.

November 4th.—The Council resolve to defend at the public cost a process threatened against the Magistrates at the instance of Charles Brodie, merchant in Lethen, for the sums due by Gilbert Barclay. [1755, May 27th.—Alexander Ross is liberated on bail.]

November 18th.—*Old Mills Multures.* Action at Mrs. Duff's instance against the inhabitants for abstractions from the mills of Old Mills. Lord Braco proposed a submission and the Council agreed thereto. The two contracts betwixt the Prior and Convent of Pluscarden and town of Elgin with respect to the astriction and multures payable by the inhabitants of Elgin at Old Milns sent to the Town's Agent at Edinburgh, also the Act and Commission in the process at the instance of McKenzie of Kildin against the inhabitants of Elgin.

1755.

March 24th.—A compliment of £300 Stg. is given by Andrew Mitchell, Esq., M.P., for this District of Burghs to the Town as a small mark of his gratitude to the Magistrates and Town Council and of the sincere regard he has for this City and as some of their public works are in disrepair.

April 25th.—*Church Penalties.* Bailie Allan gave in £6 Sc. received by him from John More, collector of the penalties, as also a bill accepted by Alexander Forteath in Green of Manbeen for £4 Sc. In respect there are several church penalties that are yet due the Council recommend it to Bailie Allan and James Garden present collector of

the penalties to make out a list of such as are yet due and to prosecute the same and recommend it to the Session Bailie to be punctual in imposing fines on church delinquents.

July 28th.—The Council give a contribution of a guinea towards building a bridge on Lossie on the road from Elgin to Manbeen.

November 17th.—The Council give a contribution of £3 Stg. towards building a bridge over that part of Lossie leading from Pittendreich and neighbourhood towards Elgin.

1756.

May 3rd.—The threatening weather having already raised the price of meal the magistrates resolve to purchase 150 bolls.

May 10th.—They purchase from Sir Hary Innes 200 bolls oatmeal at £7 10s. Sc. per boll counting eight stone to the boll.

October 30th.—The Council resolve that none shall have the title to or benefit of the bells and mortcloth gratis in time coming but the provost, bailies, dean of guild and treasurer for the time being or such as have been in that office and their wives and widows.

1757.

February 21st.—The Council considering that the price of grain is already come to a very great height resolve to purchase 400 bolls oatmeal for the town's use.

1758.

August 21st.—The Council agree and enact that in all time coming there shall be paid to the Treasurer, seeing the revenue of the town is on the decay, for behoof of the common good of the burgh for every time the officer and drum shall pass through the town or any part thereof with any advertisement or intimation the sum of 6s. Sc. over and above the dues payable to the officer and drummer, and 3s. Sc. when the hand-bell shall be used for the purposes above mentioned and for every day the drum shall be used for recruiting the sum of 12s. Sc.

1759.

January 29th.—After the death of Mr. Alexander Irvine one of the ministers of this town, a memorial was drawn up and submitted to James Ferguson of Pitfour, advocate, relative to the town's right of patronage of the Parish Church of Elgin. His opinion was that the right of patronage was in the Crown, the royal grant of the patronage made in 1641 and ratified in Parliament in 1645 having been recalled by the Act Rescissory of 1661. [The Memorial and Opinion are recorded in the Minute book *sub* 2nd February, 1761.]

April 23rd.—A petition given in to the Town Council setting forth the expediency of a road along the north end of the garden dykes to the westward of Lossie Wynd betwixt them and the tails. The Council find that there ought to be a road for passing horses and carts from the rood of land belonging to Alexander Brander eastward to the Lossie Wynd patent to the heritors and occupiers of the said western tails and roods of land for their carrying their corns, dung, stones and other effects to and from their gardens and tails and ordain the heritors of all the tails lying to the westward of Lossie Wynd to keep a road eight feet broad from the north dykes of the gardens patent to the lieges.

October 8th.—The Council appoint Alexander Cook, Hospital master, to furnish gowns, caps and stockings to the bedemen.

1760.

January 14th.—The Hon. Sir Ludovick Grant of Grant, Bart., per the hands of Alexander Brodie of Windyhills, late Provost of Elgin, gives the sum of 3000 merks Sc. in free gift and compliment for the benefit of the community of the burgh of Elgin in consideration of the friendship long subsisting betwixt the family of Grant and this town which the said Sir Ludovick Grant would always be ready to maintain as far as lay in his power and more particularly for the confidence reposed by the town in his deceased father, Sir James Grant of Grant in their choice of him some years ago as their representative in Parliament. The magistrates

in name of the community thank Sir Ludovick for this and the other favours and services he and his predecessors had done the town and assure him they will always retain a grateful sense thereof.

April 21st.—Anent the proposed agreement between the town and the Earl of Fife and Dr. Brodie with respect to the division of the muir a Head Court held this day agreed that the Magistrates and Town Council give absolute warrandice to the Earl of Fife and Dr. Brodie and that they should grant a feu to the Incorporations of that piece of muir besouth the moss lately enclosed by them for the benefit of their poor for the yearly feu-duty of 40s. Stg. [August 11th.—Dr. Brodie resiles from the agreement.]

June 28th.—A contract entered into for building a quay at the harbour of Lossiemouth at the cost of £50 Stg.

August 18th.—The Magistrates granted a feu charter in favour of the Convener meeting of the burgh in all time coming of a part of the common muir lying upon the south side of the burgh at the feu duty of £24 Sc.

September 15th.—The Council signed a contract of marches entered into with the Earl of Fife in reference to his part of the muir besouth the mosswards in lieu of his attolerance of pasturage, &c., on said common muirs.* [Contract recorded after Minute of date 2nd February, 1761.]

December 1st.—The Council appoint the Provost and Bailies to draw up an address of congratulation and condolence to the King on the death of King George the second and the accession of King George the third to the throne.

* By contract of Marches of date 28th February, 1622, between Alexander, Bishop of Moray, heritable proprietor of the lands of Main and Aikenhead on the one part and the Magistrates and Town Council of Elgin on the other part, the Magistrates granted to said Bishop and his successors, heritors of Main, an attolerance of pasturage and commonty upon the muirs of Elgin next adjacent to Main and Aikenhead for pasturage of their bestial, casting of feal and divot, and whereas the said muir has been promiscuously possessed by the tenants and possessors of Bilbohall and Meadow of Main (formerly a part of the estate of Main) now belonging in property to William, Earl of Fife, and by the tenants and possessors of Main now belonging to Dr. David Brodie and by the inhabitants of Elgin by their casting fuel, feal and divot, pasturing their cattle, &c. The Longhill and Broadhill to remain a common property to be possessed by all parties promiscuously. March stones to be set up.

1761.

February 2nd.—The Council considering the dismal consequences that have attended and may attend the keeping of gunpowder in shops or loose lint or hards in houses or shops and particularly considering the fatal accident that happened to William Fraser's shop Monday last they forbid shopkeepers to keep gunpowder where lights or candles are kept or to sell gunpowder with fire or candle light and that the place where gunpowder is kept be first approved by the Magistrates under pain of £5 Stg.

April 20th.—Election at Elgin of Andrew Mitchell of Thainstown as M.P. for this District of Burghs.

June 22nd.—A feu given off to John Ritchie, merchant, of that piece of waste ground on the south side of the Little Kirk to the east of the shop set to John Moir, feu duty 1s. Stg. yearly for 19 years.

September 14th.—The dispute with Dr. Brodie settled by giving him additional ground.

September 28th.—The Council considering that the prophanation of the Lord's day is become very frequent to prevent which they enact and ordain that no person or persons shall presume to walk on the streets or in the fields in time of divine service: That no person shall presume to make any disturbance in the streets or under the forestairs after public worship is over under the pains of three pound Scots for each offence: That none shall presume to go into ale houses and drink in time of divine service on the Lord's day under the penalty of six pound Scots each person that shall be found drinking in such houses in time of divine service on the Lord's day and the like sum of six pound Scots each person who shall sell or give such ale or other liquor to them.

November 6th.—The Council agreed to address and congratulate his Majesty on his happy nuptials with the Princess Charlotte of Mecklenburg.

The Council agree with Greenhall's other creditors that the lands of Burrowbridge, Myreside, tails and eighteen part should be sold and the price divided among the creditors. [The said lands were sold soon after to Lord Seafield, see minutes of date 20th May and 23rd August, 1762.]

1762.

August 23rd.—The Council signed a precept of clare constat in favour of John Sutherland, writer in Edinburgh, as son and heir to the deceased Laurence Sutherland of Greenhall upon Blackfriar haugh, eighteen part and ward. Composition—a duplicand.

August 30th.—The magistrates reported that upon Saturday last upon a complaint from several of the inhabitants of this burgh of encroachments made by the tenants of Mostowie and others upon the Moss of Mostowie by their casting and winning peats and selling the same to the inhabitants and tenants of Alves, Ardgay, Leggat and other places in the country and by carrying off and making middens of the moss yird they had gone to Mostowie and visited the marches and had made civil interruption of the encroachments upon the moss and having held a court at Mostowie had adjourned the same to Elgin and appointed the fiscal to prosecute the transgressors before the magistrates on Wednesday next. The Council approve of the magistrates' proceedings and recommend to the Magistrates to inquire into the town's right to the said mosses and to take the most effectual method for asserting the town's rights and for preventing such encroachments and abuses for the future.

October 4th.—William Edward appointed drummer at a salary of £24 Sc. per annum and he was appointed to beat the drum at four in the morning and at nine at night.

1763.

March 21st.—The anchorage and shore dues of Lossiemouth let for three years to Thomas Stephen, senr. merchant in Elgin for £5 Stg. yearly.

August 6th.—The Convener stated that the tenants of Leggat and Whitefield had casten a quantity of peats in the mosses of Mostowie without asking leave to do so (as usual) of the magistrates and added that he along with some others had gone to the mosses and carried off twenty or thirty loads of said peats in order to preserve the town's rights and interrupt this abuse. The Council approve. On 15th August the

committee reported that they had perambulated the mosses of Mostowie and had made interruptions on the encroachments made by the people sowing corn on parts of the mosses. The Council ordered the transgressors to be prosecuted.

August 22nd.—Report [here entered] of perambulation of marches between Linkwood and the town also of the mosses of Mostowie.

September 12th.—Copy of Charter [here entered] granted by the Magistrates and Town Council to the Incorporation of Tailors of Elgin upon that piece of waste ground south of the water of Tayock 210 yards east and west and 134 yards south and north. Feu duty 30s. Sc. yearly with 12s. Sc. yearly as augmentation of rental.

December 19th.—The magistrates appoint the road leading from the School Wynd to Muirtown to be repaired by statute labour and appoint the inhabitants of the burgh with their servants and horses to be called out to work at the same by turns and declare that each person who shall not attend when called on by the officers shall be fined in terms of the statutes.

1764.

April 23rd.—The Council signed a charter of an half quarter or aughteen part of the town and lands of Barflathills and of an half quarter or aughteen part of the haugh thereof mortified by Alexander Gordon of Cairnfield in favour of Mr. Francis Chalmers, minister of the Episcopal congregation of Elgin.

May 24th.—The Council resolve to prosecute John Shand, junior, merchant in Garmouth as an unfree trader.

August 25th.—Feu contract signed by the Council and Dr. Brodie of Main on the part of the muir besouth the Moss allotted to him in lieu of his attolerance of pasturage on the muirs [said contract is recorded in the Council Minute Book].

October 1st.—The Council agree to contribute £100 Stg. to the building of an East pier at Lossiemouth.

October 4th.—Petition from James Richards, prisoner within the Tolbooth of Elgin for civil debts with a Bond of Caution for six months subscribed by a considerable number of merchants and others to indemnify the Magistrates, Town Council and common good in case

James Richards escape from prison, craving that he have the liberty of the air in the day time for the preservation of his health. The Council agree that James Richards be confined within the iron grate and timber door of the room where he is presently confined from eight o'clock of every night until nine o'clock every morning and that from nine in the morning until eight at night the iron grates and timber door of that room shall remain open and James Richards have the benefit of walking in the turnpike stair and on the balcony and they also agree that James Richards family and friends shall have access to talk and converse with him in the day time. The officers to see that the door at the foot of the turnpike stair be kept shut all the day time as well as at night and that two officers attend every night and see that he be secured in his room and that the iron grate and timber door thereof be locked on him at eight at night.

October 8th.—The tenants of Mostowie having raised a suspension of the decreet pronounced by the Magistrates against them for destroying the town's moss of Mostowie the Magistrates and Council resolve to raise a process of declarator for preserving the town's rights to the moss of Mostowie.

November 12th.—A committee consisting of the four bailies report a plan for laying out regular streets and feus at the harbour of Lossiemouth.

December 3rd.—The Council ordain that in all time coming the hire of a single horse and cart shall be 1½d. Stg. for each computed mile and 3d. Stg. for two horses for each mile between Elgin and Findhorn or like distance and prohibit the hirers to exceed that sum under the penalty of £1 Scots.

December 24th.—A summons of declarator against Lord Fife *anent* Moss of Mostowie has been sent to his Agent at Edinburgh.

1765.

April 1st.—A committee report encroachments on the town's muir by Alexander Petrie to the extent of 473 yards or spaces in length and about 33 ells in breadth and that he has removed several of the march stones from both sides of the Apothecary Croft. The Council order roads to be made to prevent encroachments and the march stones to be replaced and that John Ross and others be stopped from planting potatoes or encroaching on the muir on the west of the Tailor's muir.

May 20th.—Bailie Duff reported that he and the other bailies in office last year and the town's fiscal were summoned before the Court of Session to 13th and 20th June next at the instance of the Earl of Fife's tenants of Mostowie on a process of wrongous imprisonment, oppression, &c., on account of the magistrates having caused the said tenants to be imprisoned for destroying the town's moss. The Council appoint the process to be defended at the public charge of the town.

1766.

February 24th.—The Council considering the great loss the common good has suffered by the common lands being feued out they resolve not to grant any such feus for the future.

June 2nd.—Encroachments on Lossie Green are reported to the Council, feal and divot having been cast thereon and ditches made about the same.

1767.

March 24th.—The town and Pitullie agree to present in turns to Pitullie's mortification.

April 11th.—An incendiary letter having been dropped at the house of William Gregor, shoemaker, threatening to burn his house the Council offer a reward of £5 Stg. for the discovery of the guilty person.

June 3rd.—The Council agree to submit to arbitration all differences between them and Linkwood as to the muirs round Glassgreen and Muirytack also east of Muirytack and opposite to Linkwood.

September 14th.—Bailie Alexander Brander represented to the Council that he had been put to an expense of £23 19s. 6d. in defence of a process at his Majesty's advocate's instance against him before the last Circuit Court at Inverness for negligence of office in allowing William McAndrew, late glover in Elgin, who had been imprisoned for breach of the Excise Office to escape and that after trial he had been acquit. The Council unanimously authorize the magistrates to pay the same.

December 10th.—Dr. Alexander Brodie entered to Bailiefield and Blackbogie and the Council made him a present of the composition due to them for the singular services done by him and his father for these many years past to the burgesses and inhabitants of this burgh.

1768.

May 23rd.—The Council received Robert Anderson in Linkwood their vassal on the lands of Glassgreen and Muirytack and modified his composition to £100 Sc. and signed a charter to him thereon.

June 6th.—A Committee is appointed to treat with Lord Findlater anent the marches of Linkwood he having bought Linkwood.

August 8th.—The Council signed a charter to the Earl of Findlater and Seafield on the lands of Bailiefield and Blackbogie as disponee from Dr. Alexander Brodie of Main. The Magistrates have bought 41 chalder and 4 barrels New Castle coals at 22s. Stg. the chalder for the benefit of the poorer sort of the inhabitants.*

September 10th.—21 chalders English coal additional bought at 22d. per barrel.

December 12th.—The Earl of Findlater entered as the Council's vassal in the Cattails belonging to the heirs of James Innes, late provost.

1769.

January 23rd.—George Edward appointed drummer at a yearly salary of £24 Sc.

March 13th.—Alexander Gray appointed clockkeeper for seven years at a salary of £2 Stg. yearly with ropes and a pint of oil yearly and as the clocks are much in want of repair he agrees to mend them and to keep them in repair for seven years for £3 Stg.

July 31st.—Contract of marches [here recorded in full] between Lord Findlater and the town anent the lands of Linkwood and Glassgreen as approved by the Town Council and Head Court of the burgesses.

September 11th.—The Council contract with James Edward and crew for their residence at Lossiemouth for seven years and that a boat be purchased for them not exceeding £15 Stg. of value to be paid out of the shore dues.

* "In the year 1754, a ship loaded with coals came to Lossiemouth, the first cargo of the kind known to have been received at that port" (Young's *Annals of Elgin*, p. 204). But coals must have been in use in Elgin long prior to that date, landed it may be at Findhorn. The rate of petty customs for 1752 (see sub anno) shows coal then free of duty.

1770.

March 5th.—The music schoolmaster to record all the deaths in town and all the burials in the Cathedral churchyard after this date. Fees 2d. for each adult and 1d. for those under age. The poor to be recorded gratis.

May 28th.—The moss of Strathcant and muir adjoining to be enclosed and let.

Act of Town Council discharging the private sale of seats in the area of the High Church as giving right to said seats unless the same be ratified by the Council.

1771.

April 1st.—The magistrates are authorised to purchase 100 bolls of oatmeal, considering that victual is like to be dear this summer.

May 13th.—The Town Council resolve to give £200 Stg. towards building an east pier at Lossiemouth.

September 9th.—The provost having given in an account of his expense of going to the Convention in July last amounting to £5 Stg. the Council authorise the Town Treasurer to pay the same.

1772.

September 19th.—The Magistrates and Town Council considering that there was a process of reduction brought before the Court of Session at the instance of Thomas Stephen, late Provost, John Laing, one of the present bailies and Alexander Brander, late Treasurer, of the election of the Magistrates and Town Council made at Michaelmas, 1771, in defence of which the Magistrates and Town Council have already been put to considerable expence and will be put to more before said process be concluded authorise the Treasurer to borrow upon the Town's credit £1000 Stg. for the purposes aforesaid.

December 21st.—Act for payment of John Jameson, councillor, William Brodie and Patrick Duff, town clerk (the last named remained

at Edinburgh at the desire of the magistrates from 14th March to the end of the summer session attending the proof, &c.) declaring their expenses a public debt.

1773.

February 9th.—The Council considering the present dearth of victual and that the inhabitants have turned riotous and threatened to raise mobs for want of meal they therefore agree to purchase 300 bolls at the rate of 16s. the nine stone weight.

March 22nd.—In accordance with the judgment of the Court of Session in the process at the instance of the Town against Thomas Stephen, John Laing and Alexander Brander for delivering up of the keys of the cadget and Treasury accounts the said Alexander Brander now delivers up the same.

June 14th.—The Council being advised that William Peterkin, master of the Grammar School, has obtained a Royal Presentation to be assistant and successor to Rev. Lachlan Shaw, one of the ministers of this town and parish and that without the knowledge or consent of the Council, Kirk Session and majority of heritors therefore they resolve to oppose his settlement by every legal means in their power and declare the Grammar School vacant from 1st October next.

August 23rd.—The expenses of a process commenced in 1771 in the Court of Session against Thomas Stephen, late Provost, and Alexander Brander, late Treasurer, for their withholding the Treasurer's accounts is now paid by them to the town.

The sum of £100 was given last year by the Convention of Royal Burghs for the use of Lossiemouth.

September 1st.—The magistrates and Town Council taking into their consideration that notwithstanding of the several laws and Acts of Parliament made against whoredom, drunkenness, profanation of the Lord's day and of the holy name of God and other immoralities and of the several bylaws made in this burgh for curbing and putting a stop to these vices yet they still continue to be frequent they therefore resolve to put these laws and acts in execution to the full extent thereof and considering that it may be of use that the aid of the eldership should be joined thereto they appoint Bailie Anderson to carry an extract of this resolution to the

Kirk Session whereby they may jointly endeavour to stop the torrent of the abundant vices and immoralities which so much prevail in this corner and be instruments of promoting good order and the Christian social duties which adorn human life.

October 4th.—It being proposed in Council to have a pavement betwixt the church and tolbooth made by contribution the Council agree thereto and contribute ten pounds sterling therefor out of the common good.

The Council appoint intimation to be made prohibiting the steeping of lint or hides in Lossie or Tyack under the penalty of £5 Sc. each.

November 10th.—The provost represented to the Council that the process of reduction of the election had been determined in favours of the Town Council with costs of suits.

December 16th.—The Council declare the expenses already incurred and that may yet be incurred in opposing the settlement of Mr. William Peterkin as assistant and successor to Mr. Lachlan Shaw to be a public debt affecting the common good.

1774.

July 4th.—The Council considering that on account of the rainy weather the peats will in all probability be scarce and dear they therefore authorise the magistrates to purchase fifty tons of English coals for the accommodation of the inhabitants.

September 19th.—The Council considering that William Burnet has not attended the Councils nor courts for these three years past without assigning any reason for his conduct they by a plurality of votes find that he has thereby forfeited his office as conjunct clerk of this burgh and therefore suspend him from the further exercise thereof.

[Mr. Young (*Annals of Elgin*, p. 209) notes as follows: Mr. Burnet was a most respectable man of business and no doubt had good reasons for avoiding the disputes which prevailed in the Council for some years back.]

1775.

March 25th.—The Council considering that in all probability the corn and meal will be dear the next summer resolve to purchase 300 bolls of

oatmeal and accept the Earl of Findlater's generous proposal to sell 150 bolls at 14s. Stg. the eight stone.

May 13th.—Deed of mortification by the now deceased John Laing of Over Manbeen of a park in the Cattails in favour of one decayed merchant burgess and guild brother, the magistrates, &c., being Trustees and the nearest relation of John Laing, Patron.

September 12th.—Alexander Duff, writer in Elgin, appointed conjunct clerk with Patrick Duff, present Town Clerk, ad vitam aut culpam.

September 26th.—"Upon an application from the Kirk-Session of Elgin craving the use of the Little Church (which was the property of the town of Elgin) for the benefit of a minister to perform divine service in upon the Lord's day, in the time that public worship is performing in the Big or Parish Church, as that church did not properly accommodate all the parish, the Council, having reasoned thereon, agreed to grant the request of the petition for such time as the Council should think proper, but they do resolve that if, upon trial, the granting such liberty did not answer the pious intention proposed does reserve to themselves a power of withdrawing the said liberty at pleasure, after the expiry of two years after a minister shall begin to perform Divine service therein."

November 13th.—The streets to be lighted with oil lamps and Mr. William Robertson to purchase twenty lamps when he goes to London.

1776.

June 17th.—The Council write their Member in Parliament to support the petition of the Brora Company to have the duty taken off the Brora coal.

August 12th.—The magistrates agreed to pay Archibald Mellis £10 Stg. to causeway the highway from the end of the broken street or causeway to the west port.

Whereas there are many dunghills laid and huts or sheep cots built on the High Street where the Horse Market is held [at the south end and east and west side of Ragg's or Murdoch's Wynd] and also without the West Port, all the said dunghills and huts or sheep cots are ordered to be removed within eight days of this date.

September 30th.—The Magistrates appoint intimation to be made through the town, forbidding the thrashing or winnowing of corn, or leaving dung or stones on the High Street, and enact that whatever person or persons shall be found guilty of such thrashing or winnowing corn or leaving dung or stones, shall incur a penalty of five pounds Scots, and they empower the officer who keeps the keys to secure and detain whatever corn and straw may be found thrashing upon the street and the dung or stones lying thereon, until trial.

1777.

July 5th.—The Council considering that two of the hands belonging to the Lossiemouth boat were lately impressed by a cutter in his Majesty's service commanded by Mr. Wardlaw and were liberate upon the faith of the town's furnishing one in their place they therefore authorise the Magistrates to furnish a man the charge being declared a debt affecting the public good.

October 13th.—The town to be lighted with oil and thirty lamps to be erected and paid for out of the town's funds and these were considered sufficient to light the High Street, Lossie Wynd, School Wynd, College Street, East Street and Gray Friars Wynd. Lamps to be erected (1) on the Little Cross (2) at the School port (3) on the corner of William McKain's house opposite to the Lossie port (4) between the east port and old well (5) on the east side of the Market Cross (6) at the West port, &c. Ten shillings Stg. is the supposed sum thought necessary for supporting each lamp each year and said sum for supporting the lamps is to be raised by a voluntary assessment of 2d. per £ on all houses in town the annual rent of which is 10s. or upwards and the rent of all the houses in town liable amounts to £1111 Stg.

The Council considering that the inhabitants are greatly annoyed by the barking of dogs upon the high streets enjoin all having dogs and bitches to keep the same within their houses at night on pain of 5s. Stg. for each offence and the dogs afterwards shot.

December 29th.—Mr. Brander of Thomas Street, London, has sent 36 lamps as a present to the town.

£6 0s. 6d. Stg. paid for gowns to the bedemen.

1778.

April 6th.—The Council agree to buy 100 bolls of oatmeal for behoof of the private inhabitants over and above what may be bought by the Incorporations, victuall having unexpectedly risen to a higher price than was imagined.

The Council appoint a Committee to report on abuses in the meal market by mixed meal, &c.

July 15th.—The Council considering that there are many holes or scuttles projecting from the side walls of several houses in several wynes or vennels in this burgh which are public neauseances and by means of fulzie, &c., being thrown from them people's cloaths are apt to be spoiled do appoint tenants and proprietors to shut such up.

August 10th.—The Council considering that the act of last sederunt anent spouts, &c., has not been complied with, although intimated by the officers, authorize James Hay, meason, to take down and fill up the holls of said spouts on the towns expence.

The Council appoint a new Bench to be made in the Guard room for the accommodation of the Troups as the old one is destroyed.

October 19th.—The Council agree that the lamps be lighted this day, that 3d. in the pound should be levied off the house rents for their support, agreeable to resolution of last year. A sub-committee to contract with a lamp lighter and to furnish oil and wicks.

1779.

January 12th.—The Council, considering that the kingdom is alarmed with fear of a Bill being brought into Parliament in favours of Roman Catholicks, unanimously agree to send a memorial to their Commissioner in Parliament to oppose the passing the said Bill.

January 21st.—Composition to vassals fixed by the Council at one year's full rent.

March 22nd.—The Council considering that it may tend to the convenience of the inhabitants that the time of beating the drum and ringing the bell be changed in the morning they therefore agree and appoint the drum to be beat at five and the bell at six o'clock in the morning.

July 12th.—The Town Council having considered a letter addressed to the Provost from the Lord Advocate of Scotland of date 1st July, recommending to him to offer encouragement to Volunteers by the publication of bounties at this period when the crowns of France and Spain have confederated themselves against the safety of the British empire and the Magistrates and Town Council being desirous of doing everything in their power for procuring a speedy supply of seamen in so critical a juncture do hereby resolve to give a bounty of three guineas to every able bodied seaman not above the age of fifty nor under the age of twenty and to every ordinary seaman two guineas.

October 4th.—The Council authorize the Town fiscal to prosecute such as are liable for church penalties with all dispatch.

1780.

January 17th.—The Council sell the superiority of the half of the town's lands of Over Barflethills and haugh of Newmiln to William King of Newmiln for £60 Stg.

June 26th.—The Council pass an act prohibiting the Traders to receive unfreemen into the Corporations.

August 21st.—New march stones set at Lossiemouth (in place of several lost) as in contract of feu betwixt the Laird of Brodie and the town of date 9th March, 1698.

Perambulation by Alexander Brander of Kinnedare and the Town Council of Elgin of the marches betwixt the lands of Kinnedare and Stotfield belonging to said Alexander Brander and the town and port of Lossiemouth belonging to the town of Elgin: "Beginning at an iron bar marked BE fixed on the point of a rock about 70 space to the eastward of the old Head or Pier and extending therefrom by another iron bar in a direct line to the head of the cave called St. Gerrandive Cave, where there is a march stone placed marked BE and from that stone extending westward in a direct line along the top of the rock of the Coolaird hill by four march stones," &c.

September 18th.—Dr. Thomas Stephen being about to build a house upon the north side of the burgh upon or contiguous to the rood that belonged to James Stephen, late provost of Elgin, his father, and in order

to enlarge the bounds on which the said Thomas Stephen intended to build, the ministers of Elgin and he had agreed to exchange a piece of field land belonging to him for that piece of ground commonly called "the Manse ground." The Town Council agree thereto.

September 25th.—At the election of Council a protest was taken against the election of George Simpson, Alexander Cook, Alexander Gray, Samuel Ramsay, James Howison and John Harvey. It was represented by Baillie Robert Allan, Baillie Andrew Fenton, Baillie William Robertson, Alexander Brander, treasurer, and Alexander Dougall, merchant, Councillor, that for these many days past the above-named five persons, councillors in this burgh had been closely watched and guarded both by night and day and guards and sentinels placed over their houses at the desire and instigation of General James Grant of Ballindalloch who had declared himself a candidate for the District of Burghs to which Elgin belongs, that access and admission to them had by different persons been repeatedly demanded and even though required under form of instrument by the said Baillie Allan and had been denied and refused, that by such violent and illegall proceedings and other corrupt and undue measures practised by the said General Grant and his Partisans upon other councillors of this burgh the freedom of election was at an end, &c., &c.

To which it was answered that the disappointment of Mr. Brander and others Protestors in not seeing certain members of Council on Saturday night or any other occasion cannot be imputed to their being under confinement or under restraint for every one is well known to have been at perfect liberty and as they were all present in Council Baillie Duff insists that they all severally answer for themselves to this charge. Baillie Duff here thinks it necessary to take notice that on Saturday night at a very late hour and without the least previous notice Mr. Brander and the other protestors did come to the house of George Simpson, where Baillie Duff and some few others of the Council were and required them to attend the previous meeting for this day's business, that so far were they or any of them from being under any restraint or confinement that they readily consented to meet these gentlemen in the Dining room or Publick room of the house and these gentlemen were offered admittance to any other room of the house where any of the Council may have been, &c., &c.

September 26th.—At a meeting of Council and before the Council proceeded to the election of a Commissioner or Delegate to meet at Kintore with the other Delegates of this District of Burghs to elect a Commissioner to represent this district of Burghs in parliament, Alexander Brander and his adherents took several protests. [By a majority of 11 to 5 Major General James Grant of Ballendallach was elected.] They protested that the votes of George Simpson, &c. [supra] cannot be received because previous to their being councillors upon 25th curt. they were not only under the undue and corrupt influence of General James Grant of Ballendalloch who has declared himself a candidate for this district of Burghs but those persons were under actual restraint and confinement, &c., &c. To which Protest it was answered by Baillie Duff, that it may be true that some of the Councillors did for some time past keep more closely together than they usually do but this was occasioned by the conduct of the Duke and Duchess of Gordon and other friends of General Morris for it is well-known not many years ago on the eve of an election one of the members of the Council was by force and violence dragged from his own bed by persons employed by them in the dead of night, carried over to Gordon Castle, afterwards to Huntly and detained there and at other places till the election was over and though it is believed the noble Duke paid dearly for this attempt upon the freedom of electors yet it would seem that this violent method of procedure is not yet relinquished by those powerful infringers of it. The measures which the respondents are informed have been used towards some of the Town Council of the Burgh of Inverurie is a recent instance, and the respondents had reason to believe that they would meet with the same treatment whenever a favourable opportunity offered for every effort was used to entice them and to put them off their guard and afford an opportunity of carrying them away. Their Graces the Duke and Duchess of Gòrdon were frequently in town attended by a number of servants and followers, the houses of the Councillors were visited at night by these noble personages themselves, bonfires were made, the bells set aringing and the town drum beat at the dead hours of night by the orders of them or their retainers for the purpose of alarming the inhabitants and withdrawing them from their houses, &c., &c.

Replied by Baillie Brander and others: The low and illiberal abuse thrown out against the Duke and Duchess of Gordon respecting a trans-

action which happened nine years ago wherein they had no manner of concern merits no answer but shows in pretty strong colours what straits the General and his adherents are drove to for an excuse to palliate the forcible measures they have been pleased to adopt upon this occasion. The question of restraint will be a subject of after discussion. The Protesters aver that they are literally true. . . . The great general under whose banners the respondents fight will probably find it a difficult task to account to his superiors for his conduct upon that occasion perhaps more so than for any little mistake that may have happened in the reduction of America, which he was to accomplish with a handful of men, &c., &c.

October 16th.—The Town Council agree to lay out £200 on new works at Lossiemouth.

1781.

March 5th.—There being a petition given in by certain burgesses and inhabitants craving the use of the Little Church for their accommodation in attending Divine Service on the Lord's days, the Council, by a majority granted this for two years.

1782.

February 18th.—Nearly 220 feet of the east pier at Lossiemouth is completed on which about £200 Stg. has been expended. The Council resolve to ask subscriptions from the landed proprietors of the district and others to complete the harbour works at Lossiemouth. The Council find that exclusive of the work carried on within these twenty years there has been expended £1000 Stg. by the burgh on the work.

April 22nd.—The Council resolve to expend £200 this year out of the common good on Lossiemouth harbour.

July 1st.—Patrick Duff, junior, writer in Elgin, son of Patrick Duff, town clerk, is appointed conjunct Town Clerk in place of the deceased Alexander Duff.

August 15th.—The Council resolve to buy 200 bolls of meal for the use of the inhabitants at 11s. the boll at 8 stone to the boll.

November 19th.—The Town Council subscribe £20 Stg. out of the common good towards a fund to relieve the indigent persons and industrious labourers in the burgh by supplying meal at a lower rate.

The Council agree to allow the Incorporated Trades to assemble themselves in the Court room on the Lord's days in order to attend divine service.

1783.

January 14th.—The Bank of Scotland offer the Town Council a loan up to £500 for twelve months, free of interest, to purchase corn for the inhabitants in view of the calamitous state of the country occasioned by the present scarcity and high price of corn and desiring to show their regard to the interests of the towns where the Bank has branches. The Council accept of this friendly offer and thank the Directors.*

January 27th.—The Council appoint James Cruden, merchant, to sell in small quantities the meal they purchase for the inhabitants, oatmeal to be at the rate of nine stone Amsterdam weight to the boll and the bear meal at the rate of twelve stone the boll and appoint him to sell the same at the rate of nine pound the peck of oatmeall and twelve pound the peck of bear meal. The fishers of Lossiemouth and Stotfield also to be supplied. No person to receive above two pecks at a time and even that not without a ticket.

April 28th.—The Council purchase from Lady Gordon 200 bolls bear at £1 Stg. the boll also from the farmers of William Brodie of Windyhills at £1 0s. 6d. the boll. Lord Findlater and Hon. George Duff of Milton are also to supply corn.

September 15th.—The fishers of Lossiemouth representing that their boat was wore out and that they were willing to contract with the Magistrates and Council for to reside at Lossiemouth for seven years provided the Council would build them a new boat such as that at Stotfield and allow them to continue in their houses without rent. The Council agree.

September 29th.—The Council impower the streets committee to name overseers and call out the burgesses, fine absents and to cause the officers take up an exact number of the inhabitants so as the same may be called out indiscriminately to perform statute labour.

* Cf. *Annals of Banff*, I., 332.

The Council agree to give James Craig, watchmaker, £5 Stg. for giving a thorough repair to the Tolbooth clock so as she shall go ten years without any repair except what may be unforseen.

October 14th.—362 bolls of mixed meal being ready to be delivered on receipt of 8s. 8d. the boll, being part of the proportion of the meal sent by the Barons of Exchequer to be sold to the poor of this county, Messrs. Hay and Peterkin, ministers of Elgin, request the Town Council to join with them in carrying out this matter. The Town Council agree to pay half the price of the meal and defray half of the expense, to be sold at 7d. the peck.

October 14th.—The Council considering that the West Port of this Burgh was pulled down either late last night or early this morning and the materials thereof carried away, which has given umbrage to several of the inhabitants and as they have reason to suspect the same has been done by the labourers employed in building Mr. Russell's dykes and they being most desirous that this matter should be inquired into in the most delicate manner authorize the fiscal to make out a complaint against the labourers so as they may be examined by whose orders they did the same.

October 18th.—The Bailies represented that they had now finished the Precognition anent the pulling down of the West port and that it thereby appeared that Robert McRaw, James Nicoll and John Petrie, masons, Thomas Gordon and sundry day labourers had all been aiding and assisting therein, that the said Robert McRaw had said that Mr. Francis Russel, advocate, had given him orders to do it, but as none of the other people called had concurred with him in that circumstance they had called on Mr. Russel himself to answer whether or not he had given such orders and that he declined to answer directly to that question, and as the bailies thought this affair was such that the credit of the burgh was concerned therein they desired the opinion of the Council how they should proceed which being considered by the Council they agreed anent that before any procedure be had therein that a copy of the proceedings and a memorial relative thereto be transmitted to the Town Agent so as he may lay the same before able Counsel to have an opinion and direction for the conduct of the magistrates so as they may act therein with propriety.

October 28th.—The Magistrates laid before the Council the opinion of Mr. Ilay Campbell relative to the memorial sent to Mr. Isaac Grant

respecting pulling down the West Port, the import of which is that the act was very unwarrantable, that it is the subject of a prosecution either before the Sheriff Court or the Superior Court, which consultation being read in Council and they having deliberated thereon they unanimously are of the mind that the said offence should be prosecute before the Justiciary Court at Edinburgh against Mr. Francis Russell and such others of the workmen as may appear to be most guilty in such manner as shall be found most adviseable and authorize the Magistrates to instruct the Town's Agent for that purpose so as he may raise criminal letters and follow furth the cause for the vindication of the right of the burgh and declare the expense of such prosecution a public debt affecting the common good of this burgh.

November 15th.—The Council take steps to recover a legacy by James Leslie of the Island of Jamaica in favours of the town.

1784.

March 11th.—Dr. James Hay having died on 22nd January last the Council, by a majority, give their votes in favour of Mr. Robert Grant, minister at Cullen.

June 28th.—The Council resolve to support the Magistrates in defending a process at the instance of Sir Alexander Dunbar of Northfield against them for pulling down a dyke built by him in the front of his Lodging in Elgin, commonly called Lord Duffus' Lodging, which tended to encroach on the High Street where the Cart (? Cattle) Market is held. [October 25th.—The case amicably settled.]

September 28th.—Alexander Brander, Dean of Guild, represented to the Council that the custom of a Provost making a Burgess and Guild Brother *ex officio* was highly detrimental to the Fund belonging to the Society of Merchants as many gentlemen so admitted did not contribute to the support of the poor so that a greater weight lay upon those who did subscribe although the non-subscribers enjoyed the same priviledges in the Burgh as others. The Council unanimously declare that it shall not be in the power of any Provost of this Burgh to grant any Burgess ticket to any person or persons whatsoever *ex officio*.

October 4th.—The Council considering that the Big Bell of the High Church is rent and that it will be necessary to refound her the Council

recommend to Bailie Alexander Brander to correspond with a proper person at London anent the terms on which a New Bell may be bought or the present one refounded.

December 14th.—The Council agree to build new houses for the fishermen at Lossiemouth.

December 30th.—The Earl of Findlater subscribes £200 to the harbour of Lossiemouth.

1785.

February 7th.—A Head Court having been called anent the sale of the Moss of Strathcant to the Earl of Findlater no one objected. The Town Council agree to sell it for £42 Stg. The moss is surrounded by lands now the property of the Earl of Findlater and Seafield and is of no benefit to the burgesses or common good.

The Council taking into their consideration that the Right Hon. James, Earl of Findlater and Seafield has been so generous as to compliment this Burgh with Two hundred pound Sterling to assist in carrying on the work at Lossiemouth they have entered the same on this record to show their sense of gratitude to his Lordship therefor and hereby authorize the Clerk to write to his Lordship a letter of thanks therefor in the fullest manner and appoint the said letter to be also signed by the Magistrates.

February 21st.—The Council considering that the Profanation of the Lord's day is increasing in this place they appoint the Act of Council of the 6th of October, 1718, to be intimated and declared that the same will be put in force.

April 7th.—Mr. Francis Russell of Westfield, advocate, is chosen Ruling Elder to represent the Burgh in the ensuing General Assembly.

June 27th.—The Council nominate and appoint Francis Russell, advocate, their Commissioner to represent this Burgh at the ensuing General Convention of the Borrows of Scotland and authorize the Magistrates to draw on the Agent of the Borrows for the £100 Stg. given by the Borrows for the aid of Lossiemouth in favours of Mr. Russell. [Being the balance of £200 granted by the Convention in 1783.]

August 6th.—The Council agree to support the Town Council of Banff in their application to the Lords of the Treasury to have a Custom House established there but resolve that the port of Lossiemouth remain within the port of Inverness, the road between Elgin and Inverness being better than that to Banff and the communication between Elgin and Banff is frequented impeded by speats in the River Spey.

September 19th.—Upon the application of the Incorporation of Hammermen craving an addition to their seat in the High Church the Town Council agree to allow that Incorporation to add the breadth of one pew off the Common Loft to their loft and allow them to rail in the whole of the Common Loft so as to prevent an idle or disorderly person or boys going in thereto, providing that such poor people who are not able to pay for a seat shall have free access to sit there without payment of any gratuity therefor.

Two sets of firlots, pecks and lippies and a coal barrel to be made and stamped by the Dean of Gild, one set for Lossiemouth and the other to be kept in the clerk's chambers for comparing, when necessary.

October 17th.—The Council authorize the Magistrates to take down the Big Bell and send her to London by the first ship from Lossiemouth or Findhorn to be refounded.

November 21st.—The Council considering the proposed plan of erecting a pavement on the high street for the purpose of an Exchange, beginning at the west gavill of the High Church to consist of 106 feet long and about 30 broad, and being convinced the same will be of great utility as well as beauty to the town agree to give £20 Stg. to assist in defraying the expense thereof and recommend to the Magistrates to institute a subscription paper for a voluntary contribution to defray the remainder of the expense.

Alexander Duncan is appointed keeper of the clocks for five years at a yearly salary of £3 10s. to keep the same in repair except timber work and ropes, also he is to furnish for the High Church a time piece on payment of £2 10s. Stg. and admission as a Freeman Burgess of this Burgh.

1786.

February 6th.—The Town Council appoint the proposed pavement on the High Street to be the breadth of the present meal house.

The town's serjeants' salaries are augmented to £2 Stg. yearly.

July 3rd.—A plan and estimate for a spire on the steeple of the High Church amounting to £60 Stg. for materials, workmanship and every other thing necessary being submitted by William Fraser, square wright, the Council recommend that subscriptions be obtained when they will consider if it is expedient to go on with the work.

October 20th.—Having taken into consideration a Plan now in agitation for rendering the system of Education more compleate in this country by an Incorporating Union of the King's and Marishall Colleges of Aberdeen into one University the Town Council do approve of such plan as conducive to so desireable an object under which Idea they do unanimously applaud such union as an object of general importance respecting the education of youth in this corner and authorize the clerks to transmitt Dr. James Dunbar at Aberdeen an extract of this Resolution.

A new power of attorney to be granted for recovering James Leslie's legacy.

October 30th.—The Council agree to address the King on his late escape from assassination.

Upon the petition of the Convener of the Trades anent augmenting the Fees of admission into the different Incorporations the Town Council declare that no merchant Burges shall be hereafter admitted under payment of £6 Stg. and no Trades Burgess under £2 10s. Stg. reserving the ancient powers in favours of the magistrates of making either gratis if they see cause and as circumstances may require. The Town Council sanction the different Incorporations exacting the following fees: For a stranger or one who never served his apprenticeship with a freeman, £8 of entry money. For one who served his apprenticeship with a freeman, £5. For a freeman's son, £1 Stg. For a freeman's daughter's husband, £1 Stg.

October 30th.—John Innes, Esq., Clerk to the Signet, requesting to purchase the superiority of Two eight parts of the lands of Barflethills the Council dispose of the same to him on his paying £30 Stg. for the right of the superiority also the bygone arrears and half of a year's free rent for the entry.

1787.

July 16th.—Owing to the late riots and mobs arising from the scarcity of meal the magistrates in order to abate the clamor and noise of the inhabitants as well as to supply the poor resolved to purchase 100 or 120 bolls of meal. From John Lawson at Old Milnes they purchase 50 bolls oatmeal and 50 bolls barley meal, nine stone to the boll, the former at 19s. and the latter at 14s. per boll to be disposed to the inhabitants at the general market price.

1788.

February 6th.—The Council agree to give the Bedemen gowns and authorize the Hospital master to provide the same on the easiest terms.

The Council offer a reward of five guineas for the discovery of those who have attempted to break shops in the burgh.

February 25th.—A charter signed to St. Giles' Society on Mrs. Paul's aughteen part formerly the property of William Grant of Grantsgreen.

March 24th.—The Council grant a feu to the Trades for the accommodation of a crew of fishermen, free of duty.

May 12th.—The Council prorogate the lease on the half of the lands of Messandieu in favours of Alexander Cobban, merchant, as Alexander Cobban agrees to enclose the lands with a thorn hedge, for twenty four years after 1794 at the present rent, viz., £14 9s. 8d. Stg. yearly and 8 bolls of bear to the Bedemen of Elgin and freeing the town of minister's stipend and all other public burdens. Renewal of a lease on the half of the lands of Messandieu in favours of Patrick Duff for 31 years after Whitsunday, 1789, at the present rent, viz., £8 9s. 8d. $\frac{8}{12}$ yearly and he delivering to the bedemen of Elgin 8 bolls of bear and freeing the town of minister's stipend and all other public burdens and enclosing the lands.

June 23rd.—List of subscriptions made in consideration of the distressed state of the lower rank of the inhabitants of this burgh on account of the present dearth of corns and meal:—George Brown, provost, £2 2s.; William King, Esq., Newmiln, £2 2s.; Mrs. King, Newmiln, £1; Mr. Alex. Brander, £2 2s.; Mr. James Cook from

Jamaica, £3 3s.; Mrs. Brander of Pitgavnie, £1; Dr. Alex^r. Dougall, £1; Dunkinty, £1; Dr. Stephen, £1 1s.; Mr. George Spark, watchmaker, 2s. 6d., &c., Total, £34 13s.

September 1st.—The Council appoint the Bedehouse to be pointed and the lofts repaired and the same to be thereafter set by public roup.

November 6th.—Upon a petition from the Friendly Society in Elgin the Council sanction that their capital be augmented to £400 Stg.

1789.

January 26th.—Copy submitted to the Council of a Deed of Mortification by the late John Innes of Dunkinty in favour of the minister of the Episcopal Congregation and the poor thereof the Trustees being the Magistrates and ministers of Elgin and the minister of said Episcopal congregation. The Council call for the payment of £8 Stg. yearly from John Innes of Leuchars, Dunkinty's heir.

March 9th.—The churchyard grass set for three years at £2 11s. yearly. The westmost Beadloft let for 5s. yearly the eastmost not let. The Council resolve to erect a new loft at the back of the pulpit for £7 5s.

A new power of attorney to be executed to some person in Jamaica to recover the money left by James Leslie of Jamaica to the town.

May 4th.—The Council declare the Stirling firlot brought to Lossiemouth some years ago to be the standard in all time coming for measuring corn to be exported.

The Council fix and declare that in all time coming meal brought into town for sale shall be sold by weight and not measure as formerly, oatmeal nine pound to the peck, barley, pease, rye and mixed meal twelve pounds to the peck and so on.

The Council give £3 to assist in erecting a pump and covering the new well, on the inhabitants of the east end binding themselves to erect said pump and cover the well and keep the same in repair in time coming.

June 15th.—The Magistrates produced an extract of the sentence of James McIntosh, vintner here, pronounced last Justiciary Court, by which among others he is appointed to be publicly whipped through

the streets of this burgh one calendar month after the date of his imprisonment and which calendar month expired the nineteenth current: That they had wrote the Magistrates of Inverness for the use of their Hangman and they agree to give the use of him for this business upon condition of paying him four pounds Stg. for his trouble, defraying his whole expenses and procuring a military guard to conduct him out and home and granting bond under a penalty of one hundred pounds Stg. to return him home safe at Inverness on or before the 26th current and that they had also wrote Major Fisher, commanding the 55th Regiment of Foot at Fort George for a party of military to conduct the Hangman here and home but had got no answer. The Council approve of the conduct of the magistrates and order a horse and cart to be furnished to carry the executioner in regard he cannot travel and authorize the magistrates to run an express this night to Fort George for an answer, likewise authorize the Magistrates in the event of an Executioner applying for this burgh to admit and qualify him and give such a yearly salary as can be agreed on exclusive of a certain gratuity for executing the present business.

July 3rd.—The Council is informed by Mr. Isaac Grant, the Town's Agent in Edinburgh, that in the action before the Court of Session for wrongous imprisonment at the instance of William Innes, gardener, against Messrs. Brander and Young, late bailies, the amount of damages and expenses against the magistrates amounted to £50 Stg.

1790.

January 16th.—At the request of the Rev. John Grant, one of the Town's ministers the Council agree to give four pounds sterling yearly for five years towards defraying the expense of a Sunday's School proposed to be institute in this place to be under the direction of the ministers and provost and bailies.

April 19th.—The Council agree to give ten guineas towards defraying the expense of rebuilding the stone bridge over Lossie.

June 29th.—Report by a committee respecting the Marches of Lossiegreen and Borrowbridges. The town has a servitude on Lossiegreen.

The Committee propose that 80 paces of the green be sloped from the new march stone eastward to prevent the green being overflowed by Lossie when in speat. The committee fix this march stone at the west end of the green as far westward as the oldest inhabitants remember the town had any right or privileges of servitude. To be sloped as Lord Findlater's tenant has done the westward. The Committee recommend the placing of thirteen march stones at equal distances running from south in a crooked line north agreeable to the present dyke, then west.

June 30th.—The Council unanimously agree that Alexander Brodie, Esq., of Madras shall have their votes and interest to represent this district of burrows in the next ensuing Parliament and authorize the magistrates to write Mr. Brodie of this their resolution.

July 12th.—This being the day appointed for the election of a member to represent the burghs of Elgin, Cullen, Banff, Kintore and Inverurie in the ensuing Parliament, convened Mr. Alexander Brander, merchant in Elgin, eldest bailie, Delegate for Elgin; Mr. John Wilson, factor for the Earl of Findlater and Seafield, Delegate for Cullen; George Robinson, Esq., late Provost of Banff, Delegate for Banff; Mr. Alexander Downey, advocate in Aberdeen, Delegate for Kintore; and William Thomson, Esq. of Crabstone, provost of Inverurie, Delegate for Inverurie. Mr. Alex. Brander chosen preses. The delegates and clerk having taking the oaths of alledgeance, &c., Alexander Brodie, Esq., of Madras, a burgess of Elgin, is chosen to be a member of the House of Commons in the ensuing Parliament.

August 24th.—Charter to James Coull, physician in London, upon the lands of Grantsgreen, the designation whereof is now changed to Ashgrove. Robert Grant only son of the deceased William Grant of Grantsgreen sold the said lands for £750 Stg. The said William Grant had a charter thereon of date 1769. He died in 1784. Boundaries: the burn of Tayock and the mortified lands of Maisondew and the Leper lands on the north; on the east by the highway from Elgin by the Malt foord of Tayock where now is a stone bridge to the Milntown of Linkwood; and at the west by a road from Elgin to Milntown of Linkwood along the east side of the Wester Cattails.

The Council give two guineas for erecting a new timber bridge over Lossie at Bishopmill the old one being ruinous.

1791.

The officers to ring the Tolbooth bell every Monday at 11 o'clock forenoon, so as the Council or committees of the town may meet if they incline.

June 18th.—Several neighbouring heritors to Lossie having embanked and otherwise defended their property which will have the effect of throwing the water on Lossiegreen the Council agree to pay half the expense with Lord Findlater for improving the banks.

June 20th.—The Council establish two annual markets at Lossiemouth, viz., on the second Wednesday of June and the second Wednesday of October.

1792.

February 27th.—There was laid before the Council a representation dated 11th February current in the name of the Rev. Mr. John Skinner, Bishop and Preses of the Committee of the Scotch Episcopal Church regarding the restraints which have existed upon the pastors and people of that church and for obtaining toleration in the exercise of their religious worship. The Council are unanimously of opinion that the request is reasonable and direct Bailie Brander to write Mr. Brodie their member in Parliament to support their wishes and promote the object of the representation.

The Council having deliberately reasoned on and considered the plan presently in agitation and intended to be submitted to the consideration of Parliament anent the abolition of the African Slave Trade are unanimously of opinion that the trade is inimical to the best and dearest interests of their fellowmen and in opposition to the sacred laws of morality and religion and therefore authorize Bailie Alexander Brander as Senior Magistrate to prepare in their name a petition to Parliament, sign and transmit the same to Mr. Brodie to be by him presented and at the same time to write Mr. Wilberforce, Member of Parliament (a strenuous supporter of the abolition) of the present resolution.

June 18th.—The Council appoint Patrick Duff to write the Town's Agent how far the Council may be warranted to take down the Town's

Cross as the same is become ruinous. They unanimously agree to take down the East and School Ports and direct the Magistrates to see the same done and two side pillars erected at each of them and if any stones remain to dispose of the same by public roup.

June 18th.—The Council agree to improve that small piece of ground south of the malt ford for a bleaching field and, if proper, to erect a small wash house thereon.

July 2nd.—The Council give three guineas towards defraying the expense of the new road through the Mannoch hill. The Managers of the Little Church petitioning the Council, workmen are appointed to inspect the same and report its present state and value with a proper plan of enlarging and repairing the same and the expense thereof.

August 9th.—The value of the materials of the Little Church is attested to be £35 Stg. and the expense of rebuilding it £399 14s. 7d. Stg. The Managers of said church are willing to rebuild the same and to engage that it shall always be used as a place of worship by those of the Presbyterian persuasion only and shall pay a yearly rent to the town on the Council granting the Managers a feu right or long lease on the ground adjacent to and where the present church and shops resting thereon stand extending as far back northward as Findrassie's Isle running on the south in a line with the steeple of the High Church and extending as far east as the present Little Church goes. The Council authorize the Managers to rebuild the church to the extent of £400 Stg. and grant them a lease on the church and pertinents for 70 years from Whitsunday next at the yearly rent of £4 10s. Stg., the Council at the end of the lease to have power to prorogate it or take the building off at valuation. The Council further recognise the Managers of said church for the time being as a Body and enact that the said Church shall be used only as a place of worship by those of the presbyterian persuasion, against which procedure Convener Barron protested in name of the Trades.

October 1st.—The Magistrates are authorised to borrow money to fit up the new shambles.

October 29th.—Provost Brander produced a bill of exchange for £150 Stg. being part of the legacy left by the late James Leslie of the Island of Jamaica to the Schools of Elgin.

November 12th.—The Council subscribe £21 Stg. towards the in-

tended bridge over Spey at Fochabers, considering the utility that would result to this country from such undertaking.

The Council join with the Town Council of Inverness in representing to Parliament the oppressive tax on coals to which the inhabitants of the north of Scotland are subjected.

1793.

January 21st.—The Council received the Kirk Session of Elgin as their vassals in the two-eighten parts of lands mortified by the deceased John Petrie, merchant in Elgin, in favour of the Kirk Session. The Council modify the entry money to £5 5s. Stg. and fix the annual feu duty at 5s. Stg. The mortification is for defraying the education of six poor Orphans or children within the parish of Elgin whose parents cannot afford to pay their school fees for teaching such children.

September 16th.—The Council authorise the Provost to thank Mr. Dundas, Secretary of State, for procuring the repeal of the duty upon coals.

1795.

January 21st.—The Council appoint intimation to be publicly made through the town discharging all Heritors from receiving strangers as their Tenants until they produce proper certificates of their moral character to the magistrates and have the same sustained certifying those who do in the contrary that they will be severely punished.

The Council authorise the Provost to write the Town's Agent to extract the decreet against the Town's vassals who have lands in non-entry and thereafter to follow further all proper means for finishing the business.

The Council authorise the Magistrates to raise a prosecution against William Forsyth, farmer in Duffus, for the duties payable to the Town for grain shipt by him at the harbour of Burghead within these several years.

The Council considering that Bailie Alexander Cobban is about to enter into Colonel Baillie's fencible Regiment they as a mark of respect to Mr. Cobban agree to give two guineas to each man in this county who

may enlist with Mr. Cobban betwixt and the first of April next over and above all other bounties.

February 16th.—The Council agree to give the inhabitants of the East end of the town one pound Stg. towards defraying the expense of putting a pump and cover on the new well on this condition that the people in that end of the town become bound not to trouble the Council on this head again.

March 16th.—Precept of clare constat in favour of John Brander of Pitgaveny as heir of line and conquest to his uncle Alexander Brander of Kinnedward upon four-eighteen parts and two parts of the Cattaills.

The Council considering that the billet masters have had a great deal of additional trouble for the last year in quartering or billeting troops and that this trouble is likely to be continued for the present season agree to pay them £1 10s. for the last year and £3 Stg. for the present year.

On a petition from the inhabitants of the east end of the town the Council agree to give 15s. for covering with wood the top of the well near the east port.

The Council agree to sell to William Brodie of Milton the part of the superiority of Barflatthills still unsold reserving the feu duty which is declared to have no connection with the sale of the superiority. Mr. King of Newmilns and Mr. Innes of Leuchars have bought the rest.

May 11th.—The provost produced the Act of Parliament for raising landmen for the navy in the several counties, royal burghs, &c., in Scotland, the proportion of men affecting this town being four men and stated that the Act authorises the Magistrates to levy from the heritors, burgesses and inhabitants a sum not exceeding £25 Stg. per man for paying bounties. The money to be stented.

The Council authorise and empower the Magistrates to purchase meal for the use of the community to whatever extent may be necessary.

June 8th.—The magistrates have purchased from Mr. Young, Oakenhead, 100 bolls of oatmeal at 8 stone for 16s. the boll and from General Grant of Ballindalloch 30 bolls oatmeal at 9 stone and 30 bolls barley meal at 12 stone for 16s. the boll and had commissioned Mr. William Young to purchase 250 bolls more of oatmeal. [This last not required.]

July 23rd.—The Council agree unanimously that the School port on the south side of the town shall be taken down as the same obstructs

carriages and carts loaded with wood, hay, &c., and direct the materials of this port and the one at the east side of the town be applied towards the intended repairs on the Court house and the monument of St. Giles to be placed in the natch on the south side of the Tolbooth.

September 22nd.—George Brown is elected Provost in place of Alexander Brander who is eased, he having served three years.

November 23rd.—The Council unanimously agree to address his Majesty on his late escape from the daring attempt on his person in going and returning from the house of Parliament.

The provost represented that he had secured for the community betwixt 300 and 400 bolls of oatmeal.

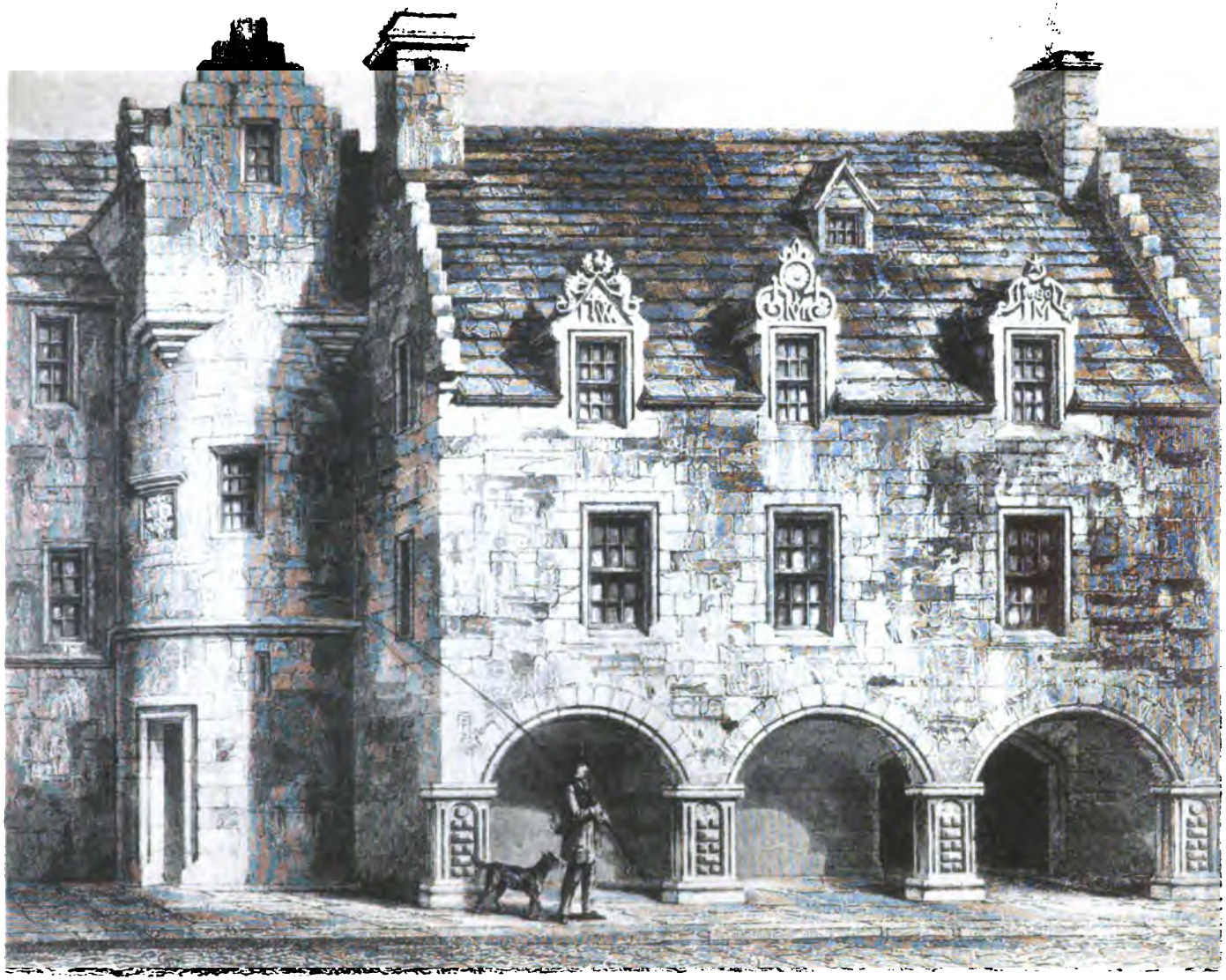
1796.

February 1st.—There was laid before the Council a memorial by the Town of Aberdeen anent an earlier despatch of the north mail from Edinburgh with a sketch of the wish'd for alteration and which memorial contains a plan for establishing a mail coach or Diligence between Edinburgh and Aberdeen.

Lord Findlater is to plant the moors of Main at Herdhillock.

February 29th.—The Bank of Scotland agree to lend the town of Elgin £500 Stg. free of interest for ten or twelve months on proper security. The Council grant the Trades £200 Stg. at their request to purchase meal for the use of their members.

May 2nd.—Having resumed consideration of the application about to be made to the Postmasters General for an earlier dispatch of the north mails from Edinburgh, with the objections and answers, the Council are clearly of opinion that the proposed alteration if carried into effect would promote the general interest of the country and at the same time improve the revenue and direct the provost to address the Right Honble. Henry Dundas, one of his Majesty's Secretaries of State soliciting his support in a measure which appears so favourable and necessary to the advancement of the commercial interests of the country, also to solicit the Lord Advocate for Scotland and at the same time write the Postmasters General at London the sense of this burgh regarding the alteration.



Elgin Street Architecture

May 10th.—The town agree to rent Lord Fife's two third parts of Croftcroy for 17 years at £5 10s. Stg. yearly for accommodating the public with their cattle and horses at fairs. The tenant of the Old Yards gives them up to the town as the same by being laboured hampers the Cattle Market.

May 25th.—The Council agree to enter into a submission with Sir Archibald Dunbar regarding the casualties claimed by the town out of Burghead.

June 2nd.—George Brown, Esq., Provost, chosen Commissioner or Delegate for Elgin to meet at Banff on 20th June to choose a burgess to represent this class or district of burrows at the ensuing Parliament of Great Britain, the Council having previously qualified themselves to Government by taking and swearing the oaths of allegiance and abjuration and subscribing the same with the Assurance, the Acts of 16th George II. against bribery and corruption was read and dispensed with and the Act 2nd of George II. was also read.

October 3rd.—The Council nominate Alexander Innes, session bailie, and recommend to him to attend the diets of session when called on and appoint John Duncan, merchant, collector of penalties, and direct the bailie to recover all bygone penalties.

The Council agree unanimously to augment the salary for the Sunday's School to Mr. Douglas to £3 Stg. annually.

October 18th.—The Lossiemouth Committee recommend that the pier on the east side of the river Lossie should be completed with all possible expedition so as to render effectual the operations already done. They find that about £250 would finish that pier. Subscriptions to be received.

November 28th.—The quota of men to be raised by the late Act of Parliament from this burgh for the Army and Navy is four. A bounty of £20 to be offered and if this is ineffectual the penalties to be proportioned on the inhabitants.

The Council authorise the Magistrates to examine the Lossiemouth fishers' boat and in case they think there is a necessity for a new boat to employ a carpenter to build the same.

1797.

January 9th.—The Council agree to erect a shed on the north wall of the Tolbooth for the accommodation of country butchers.

March 2nd.—The Council considering that in the present alarming crisis of a threatened invasion by our enemies it is the duty of every loyal subject to testify his loyalty and firm attachment to the King and constitution unanimously are of opinion that this burgh should make offer of their services to Government by raising one or two Volunteer Companies. The Provost and Magistrates appointed a Standing Committee to obtain signatures. The Council, in order to encourage spirited young men to come forward, unanimously agree to grant them the freedom of the burgh at the end of their services on their producing to the Magistrates a certificate from the Commanding Officer for the time of their good behaviour.

May 16th.—The Council unanimously agree that the widows of the Bedemen shall have the use of the lofts above the Bedehouse.

June 19th.—The Council recommend to the magistrates to take cognizance of new inhabitants who may have come to reside in town and the Council declare that all heritors or others letting houses who receive tenants without their producing proper certificates of their character shall be liable for all depredations committed by their tenants and they further resolve that masters and heads of families receiving servants into their families shall require such servants to produce certificates of their moral character and they request of the ministers to intimate this resolution from the pulpit and that the clergy afterwards attend the magistrates in searching the town for detection of any characters who may fall under this resolution.

August 14th.—The Council find that about 285 feet of the addition to the east pier at Lossiemouth is nearly finished and the Committee beheld with pleasure the good effects of the operations now carrying on.

September 18th.—The Council agree to subscribe 20 guineas towards erecting the bridge over the river Findhorn.

September 26th.—The Council unanimously agree to furnish the Volunteer Companies of the town with a stand of colours for each Company.

1798.

March 5th.—The Council grant a lease for 19 years of a small piece of ground at Lossiemouth at a rent of 6d. Stg. yearly to Messrs. John Jack and Isaac Forsyth as a coal store to remedy the distressing inconvenience to the inhabitants from want of coals.

April 2nd.—The Council appoint James Duffus, merchant, as Collector of the Triple Assessment laid upon the town as an aid and contribution for carrying on the war.

April 5th.—The Council subscribe 50 guineas out of the common good for the defence of the country in the present critical situation of affairs. The inhabitants are also recommended to subscribe.

May 8th.—The Council agree to write Mr. Brodie, M.P., to use his utmost endeavours to procure some mitigation of the proposed additional duty on salt, being satisfied that the intended increase will bear heavily on the labouring and lower classes of people.

September 17th.—The Council resolve that after next Whitsunday the lofts above the Bedehouse shall not be set to tenants but the use of them given to the bedemen.

September 24th.—The Council considering that a plan is presently in agitation for establishing a Runner from the Post Office at Elgin to the village of Lossiemouth they agree to give two guineas to assist in making up any deficiencies that may arise in defraying of the expence and authorize the magistrates to pay this sum on their being satisfied of the propriety thereof.

October 1st.—Bailie Forteath has one of the keys of the Cadget and the Dean of Guild the other.

The Council taking into their serious consideration a practice very prevalent in the burgh of persons who obtained burgess tickets while tradesmen taking the benefit of the general nature of such tickets and and now entering into trade as merchants and paying the gild brother fees as such, Do hereby enact and declare that no mechanic or person who practised such occupation shall be allowed to commence trade as a merchant and be admitted gild brother until he make payment of the

usual dues of six pounds for a burgess ticket and five pounds for the gild Freedom. The Council resolve that the practice sometime since introduced of mentioning in burgess tickets whether they are merchants or tradesmen shall be strictly observed in future and further that none of the honorary tickets presented to strangers or others shall create any right to the receivers to carry on trade in the burgh unless they pay the usual fees of six pounds to the town and five pounds to the Guildry.

Entry to Lord Findlater as the Council's vassal in his lands holding of the town for £100 Stg. (1) Precept of clare constat in favours of James, Earl of Findlater and Seafield, on the lands of Bailliefield and Blackboggie commonly called Nether Bogs also on a part of the Cattails with a piece of moorish ground also on the east side of Moss Wynd and on the parts of the muirs of Elgin contiguous to the lands of Linkwood, Glassgreen and Muirytack. (2) Charter of resignation and confirmation in favours of James, Earl of Findlater and Seafield, on the town and lands of Glassgreen and Muirytack, also on the parts of Barflathills formerly belonging to the Earl of Fife and conveyed by him to James, Earl of Findlater and Seafield by excambion, 5th October, 1767. (3) Charter of sale in favour of his Lordship upon three aughteens also portions of the Cattaills and one aughteen also Blackfriar croft and teind sheaves and the ground and lands of the yards sometime pertaining to the Blackfriars of Elgin called the Friars haugh, teind sheaves and other pertinents which last subjects pertained to Laurence Sutherland of Greenhall and were disponed by his son John Sutherland, writer in Edinburgh, to James, Earl of Findlater and Seafield, grandfather of the present Earl, 15th and 23rd April, 1763. (Extract from the Earl of Findlater's charter:—"All and haill a croft of land called the Blackfriar croft and teind sheaves and parsonage teinds thereof lying by north the said burgh of Elgin betwixt the water of Lossie at the west and the yard of the Blackfriars at the south and the said water of Lossie at the north and the water of Lossie as it run of old at the east.")

December 24th.—The Council direct the Town's officers to give over the practice of asking presents from the inhabitants at Christmas and agree to give each of the town's officers an addition to their salary of one pound sterling.

1799.

May 18th.—The Council signed a charter in favours of John Brander, merchant, on that piece of ground called the Gallow Hill for an yearly duty of £2 10s. (the Gallow Hill with the grass land belonging thereto, bounded by the road leading from Elgin to Forres by the ford on the water of Lossie called the Ford of Scroggiemill on the south and west, the water of Lossie on the north and the water of Lossie and lands belonging to the Earl of Findlater and Seafield on the east.)

September 30th.—The bailies and Dean of Guild are appointed to search the town for combustibles and to take cognizance of new inhabitants and disorderly people.

OCT 7 - 1941